



# ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ ೧೫೯ Volume 159	ಬೆಂಗಳೂರು, ಬುಧವಾರ, ೧೮, ಸೆಪ್ಟೆಂಬರ್, ೨೦೨೪(ಭಾದ್ರಪದ, ೨೭, ಶಕವರ್ಷ, ೧೯೪೬) BENGALURU, WEDNESDAY, 18, SEPTEMBER, 2024(BHADRAPADA, 27, SHAKAVARSHA, 1946)	ಸಂಚಿಕೆ ೧೮೪ Issue 184
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ಭಾಗ ೪

ಕೇಂದ್ರದ ವಿಧೇಯಕಗಳು ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು,  
ಕೇಂದ್ರದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿದ  
ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ಶಾಸನಬದ್ಧ ಆದೇಶಗಳು ಮತ್ತು  
ರಾಷ್ಟ್ರಪತಿಯವರಿಂದ ರಚಿತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರಿಂದ  
ಪುನಃ ಪ್ರಕಟವಾದ ಆದೇಶಗಳು

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ  
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 19 ಕೇನಿಪ್ರ 2024

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 17.09.2024.

ದಿನಾಂಕ: 16.07.2024 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ  
Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Ghee Grading and Marking Rules,  
2024 ರ Notification-GSR 408(E)ನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ  
ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

**MINISTRY OF AGRICULTURE AND FARMERS WELFARE**

**(Department of Agriculture and Farmers Welfare)**

**NOTIFICATION**

New Delhi, the 16th July, 2024

**G.S.R. 408(E).**—Whereas the draft of the Ghee Grading and Marking Rules, 2023, was published under section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937) in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* G.S.R. 893(E), dated the 13<sup>th</sup> December, 2023, inviting objections and suggestions from all persons likely to be affected thereby within forty-five days from the date on which copies of the said notification published in the Gazette of India, were made available to the public;

And whereas, the copies of the said notification were made available to the public on 13<sup>th</sup> December, 2023;

And whereas, the objections and suggestions received from the public in respect of the said draft rules have been duly considered;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937) and in supersession of the Ghee Grading and Marking Rules, 1938 except as respect things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:-

1. Short title, application and commencement. - (1) These rules may be called the Ghee Grading and Marking Rules, 2024.
  - (2) They shall apply to Ghee manufactured from milk or milk fat products like butter or cream or combination.
  - (3) They shall come into force on the date of their final publication in the Official Gazette.
2. Definitions. - (1) In these rules, unless the context otherwise requires,-
  - (a) "Act" means the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937);
  - (b) "Agricultural Marketing Adviser" means the Agricultural Marketing Adviser to the Government of India;
  - (c) "authorised packer" means a person or a body of persons who has been granted a certificate of authorisation to grade and mark Ghee in accordance with the grade standards and procedure prescribed under these rules and the General Grading and Marking Rules, 1988;
  - (d) "certificate of authorisation" means a certificate issued under the provisions of the General Grading and Marking Rules, 1988 authorising a person or a body of persons to grade and mark Ghee with the grade designation mark;
  - (e) "General Grading and Marking Rules" means the General Grading and Marking Rules, 1988 made under section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937);
  - (f) "Grade designation mark" means "Agmark insignia" referred to in rule 3;
  - (g) "Legal Metrology (Packaged Commodities) Rules" means the Legal Metrology (Packaged Commodities) Rules, 2011 made under the Legal Metrology Act, 2009 (1 of 2010); and
  - (h) "Schedule" means the schedules appended to these rules.
- (2) The words and expressions used and not defined in these rules but defined in the Agricultural Produce (Grading and Marking) Act, 1937 or the General Grading and Marking Rules, 1988 or the Legal Metrology (Packaged Commodities) Rules, 2011 shall have the meanings respectively assigned to them under the said Act or the rules.
3. Grade designation mark.- The grade designation mark shall consist of "Agmark insignia" incorporating the certificate of authorisation number, the word "AGMARK", name of the commodity and a grade designation

resembling the design specified in Schedule-I provided that the use of Agmark Replica paper slip shall be allowed for preformed packaging material for such authorised packers who have been granted the permission by the Agricultural Marketing Adviser or an officer authorised in this regard or as may be specified from time to time.

4. Grade designation.- The grade designation to indicate the quality of Ghee shall be such as specified in Schedule-II.
5. Quality.- The quality of Ghee shall be such as specified in Schedule-II.
6. Method of packing. -(1) Ghee shall be packed in packaging material in accordance with the provisions of the Food Safety and Standards (Packaging) Regulations, 2018 and the Legal Metrology (Packaged Commodities) Rules.
  - (2) The graded material of small pack sizes of the same lot or batch and grade may be packed in a master container with complete details thereon along with the grade designation mark.
  - (3) Each package shall contain Ghee of the same type and of the same grade designation.
  - (4) Each package shall be properly and securely closed and sealed so as to disallow spilling and marked with replica numbers issued by the competent authority.
7. Method of marking and labeling.- (1) The grade designation mark shall be securely affixed to or clearly and indelibly printed on each package or container in the manner approved by the Agricultural Marketing Adviser or an officer authorised by him in this behalf in accordance with rule 11 of the General Grading and Marking Rules.
  - (2) The Ghee shall be marked on packaging in accordance with the provisions of the Food Safety and Standards (Labeling and Display) Regulations, 2020.
  - (3) In addition to the grade designation mark, the following particulars shall be clearly and indelibly marked on each package or container, namely:-
    - (a) name of the commodity;
    - (b) C.A. number;
    - (c) grade;
    - (d) trade name(optional);
    - (e) lot or batch number;
    - (f) date of manufacture or packaging;
    - (g) nutritional information;
    - (h) net quantity;
    - (i) name and address of the authorised packer (printed and/or scannable);
    - (j) maximum retail price (inclusive of all taxes);
    - (k) expiry or use by date;
    - (l) storage condition, if any; and
    - (m) any other particulars as may be specified under the Legal Metrology (Packaged Commodities) Rules or under the Food Safety and Standards (Packaging) Regulations, 2018 and the Food Safety and Standards (Labeling and Display) Regulations, 2020 or any notification issued under any law for the time being in force or any instructions issued there under.
  - (4) The ink used for marking on packages shall be of such quality which shall not contaminate the Ghee.
  - (5) The authorised packer may, after obtaining prior approval of the Agricultural Marketing Adviser or an officer authorised by him in this behalf, mark his private trade mark or trade brand on the graded packages provided the same do not indicate quality other than that indicated by the grade designation mark affixed to the graded packages in accordance with these rules.
8. Special conditions for grant of certificate of authorisation. - In addition to the conditions specified in sub-rule (8) of rule 3 of the General Grading and Marking Rules, every authorised packer shall comply with the conditions specified under these rules, namely:-

- (1) The premises should have in house laboratory for complete analysis of raw materials used for making ghee, for determining quality of raw materials and detecting possible adulterants such as preservatives, cane sugar, urea, caustic soda, starch, vegetable oil, etc. The laboratory should also be fully equipped for the analysis of ghee for prescribed parameters. The laboratory shall be manned by a qualified chemist approved by the Agricultural Marketing Adviser or an officer authorised by him in this behalf under rule 9 of the General Grading and Marking Rules for testing the quality of Ghee.
- (2) The process of manufacture shall be such as to retain the essential characteristics of the ghee.
- (3) The authorised packer shall provide all necessary facilities and assistance to the approved chemist for carrying out the grading and marking of Ghee under these rules.
- (4) The authorised packer shall maintain proper record of analytical reports of milk, milk fat and ghee.
- (5) The premises of the authorised packer used for processing and packing of Ghee shall be maintained in hygienic and sanitary condition with proper ventilation and well lighted arrangement and the personnel engaged in these operations shall be in sound health and free from any infectious, contagious or communicable diseases.
- (6) The premises of the authorised packer shall have adequate storage facilities with pucca floor, free from dampness, any kind of cracks and crevices, rodent and insect infestation.
- (7) There shall be no fat or oil other than ghee or any artificial flavoring or coloring matter in the area where ghee is manufactured or processed.
- (8) The authorised packer and the approved chemist shall observe all instructions regarding testing, grading, packing, marking, sealing and maintenance of records, which may be issued from time to time under the provisions of the Act.
9. Minimum infrastructure requirement. - Certificate of Authorisation for ghee shall be granted only to the parties who manufacture ghee from milk in dairy plants with requisite minimum infrastructure or facilities like:-
- The building or infrastructure shall be permanent in nature and maintained properly with smooth, plain, cracks and crevices free flooring.
  - There should be provision for adequate water supply, drainage system and power.
  - There shall be separate rooms for storing packed ghee.
  - Other infrastructural or technological requirements as specified by the Agricultural Marketing Adviser to the Government of India for dairy plants to manufacture ghee from milk.

#### Schedule-I

#### Design of Agmark Insignia

(See rule 3)



Name of commodity .....

Grade.....

Note: C.A. number may be printed either

- inside the Agmark insignia; or
- C.A. No. with words "see label" (replacing number place), then CA No. to be either preprinted or inkjet printed at prominent place on label.



## Schedule-II

(See rules 4 and 5)

## Grade designation and quality of Ghee

1. Ghee shall be manufactured from milk or milk fat products like butter or cream or combination by means of a process which results in almost total removal of water and milk solids-not-fat.
2. Minimum requirement: (1) Ghee shall-
  - (a) be clarified milk fat and clear and transparent at 40°C;
  - (b) have natural, pleasant odor and agreeable taste;
  - (c) be free from rancidity, obnoxious smell, turbidity, suspended or insoluble matter or any other foreign matter;
  - (d) be free from separated water, sedimentations, added coloring matter and any other flavoring substances;
  - (e) be free from synthetic oil or fat, mineral oil and animal fat (other than milk fat);
- (2) For domestic trade, it shall comply with the restrictions in regard to residual levels of metal contaminants, pesticide residues, crop contaminants, naturally occurring toxic substances and other food safety requirements as specified under the regulations made under the Food Safety and Standards Act, 2006 (34 of 2006).
- (3) For export trade, it shall comply with the residual limits of heavy metals, pesticides and other food safety requirements as laid down by the Codex Alimentarius Commission or importing countries requirement for export.
3. Criteria for grade designation:

TABLE

Grade Designation	Moisture, maximum, % (m/m)	Milk fat, minimum m% (m/m)	Butyro-refractometer Reading at 40 °C	Reichert Meissl Value, minimum	Polenske Value	FFA as Oleic Acid, maximum, %	Baudouin Test	Iodine Value	Saponification value	Presence of $\beta$ -sitosterol
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Special	0.30	99.70	40.0 to 43.0	24	1.0-2.0	1.0	Negative	25-38	205-235	Absent
Standard	0.30	99.70	40.0 to 43.0	24	1.0-2.0	1.5	Negative	25-38	205-235	Absent
General	0.50	99.50	40.0 to 44.0	24	0.5-2.0	2.0	Negative	25-38	205-235	Absent

4. Special Condition - The ghee may be additionally declared as Cow or Buffalo Ghee, if it is manufactured from milk fat or butter or cream derived from cow milk or buffalo milk respectively. For this purpose, the authorised packer shall maintain proper record of milk procurement.
5. The ghee covered under these rules shall comply with the fatty acid composition as per Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011.
6. Additional requirements.- (i) The packing condition of the Ghee shall be such as to enable it-
  - (a) to withstand transport and handling;
  - (b) to arrive in satisfactory condition at the place of destination.
- (iii) Ghee shall be stored in a cool and dry place away from direct heat and sunlight and properly maintained in a clean and hygienic condition.

[F.No. -Q-11047/03/Ghee/2022-Std]

FAIZ AHMED KIDWAI, Addl. Secy. (Marketing)

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ  
(ಅಭೀಘಾ ಉಸ್ತಾನಿ)  
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ  
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ  
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು  
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-53

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ  
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 20 ಕೇನಿಪು 2024

ಬೆಂಗಳೂರು, ದಿನಾಂಕ:17.09.2024.

ದಿನಾಂಕ: 05.08.2024 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-  
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Millets Grading and Marking Rules, 2024ರ  
Notification-GSR 479(E)ನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು  
ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

**MINISTRY OF AGRICULTURE AND FARMERS WELFARE**

**(Department of Agriculture and Farmers Welfare)**

**NOTIFICATION**

New Delhi, the 5th August, 2024

**G.S.R. 479(E).**—Whereas the draft of the Millets Grading and Marking Rules, 2024, was published under section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* G.S.R. 100(E), dated the 5<sup>th</sup> February, 2024, inviting objections and suggestions from all persons likely to be affected thereby within forty-five days from the date on which copies of the said notification published in the Gazette of India, were made available to the public;

And whereas, the copies of the said notification were made available to the public on 5<sup>th</sup> February, 2024;

And whereas, the objections and suggestions received from the public in respect of the said draft rules have been duly considered;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), and in supersession of the Bhagar Grading and Marking Rules, 2018, except as respect things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:-

1. Short title, application and commencement. - (1) These rules may be called the Millets Grading and Marking Rules, 2024.  
 (2) They shall come into force on the date of their final publication in the Official Gazette.  
 (3) They shall apply to the following whole or dehulled millets intended for direct human consumption:-
  - (i) Sorghum (Jowar) *Sorghum bicolor* ;
  - (ii) Pearl millet (Bajra) *Pennisetum glaucum*, *Pennisetum americanum*, *Pennisetum typhoideum* ;
  - (iii) Finger millet (Ragi) *Eleusine coracana* ;
  - (iv) Foxtail millet (Kangni) *Setaria italica* ;
  - (v) Kodo millet (Kodo) *Paspalum scrobiculatum* ;
  - (vi) Little millet (Kutki) *Panicum sumatrense* ;
  - (vii) Browntop millet (Korale) *Urochloa ramosa* ;
  - (viii) Barnyard millet (Samak ke chawal) *Echinochloa crus-galli*, *Echinochloa colona*, *Echinochloa frumentacea* ;
  - (ix) Proso millet (Cheena) *Panicum miliaceum* ;
  - (x) Amaranthus seed (Ramdana or Rajgira) *Amaranthus caudatus*, *Amaranthus cruentus*, *Amaranthus hypochondriacus* ; and
  - (xi) Buckwheat (Kuttu) *Fagopyrum esculentum*.
2. Definitions. -(1) In these rules, unless the context otherwise requires,-
  - (a) "Act" means the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937);
  - (b) "Agricultural Marketing Adviser" means the Agricultural Marketing Adviser to the Government of India;
  - (c) "authorised packer" means a person or a body of persons who has been granted a certificate of authorisation to grade and mark millets with the grade standards and procedure prescribed under these rules and the General Grading and Marking Rules, 1988;
  - (d) "certificate of authorisation" means a certificate issued under the provisions of the General Grading and Marking Rules, 1988 authorising a person or a body of persons to grade and mark millets with the grade designation mark;
  - (e) "General Grading and Marking Rules" means the General Grading and Marking Rules, 1988 made under section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937);
  - (f) "Grade designation mark" means 'Agmark insignia' as referred to in rule 3;
  - (g) "Legal Metrology (Packaged Commodities) Rules" means the Legal Metrology (Packaged Commodities) Rules, 2011, made under the Legal Metrology Act, 2009 (1 of 2010); and
  - (h) "Schedule" means the Schedules appended to these rules.
 (2) The words and expressions used and not defined in these rules but defined in the Agricultural Produce (Grading and Marking) Act, 1937 or the General Grading and Marking Rules, 1988 or the Legal Metrology (Packaged Commodities) Rules, 2011, shall have the meanings respectively assigned to them under the said Act or the rules.
3. Grade designation mark. - The grade designation mark shall consist of "Agmark insignia" incorporating the certificate of authorisation number, the word "AGMARK", the name of commodity and a grade designation resembling the design specified in Schedule-I.
4. Grade designation. - The grade designation to indicate the quality of millets shall be such as specified in Schedule-II to XII.
5. Quality. - The quality of millets shall be such as specified in Schedule-II to XII.
6. Method of packing. - (1) Millets shall be packed in packaging material in accordance with the provisions of the Food Safety and Standards (Packaging) Regulations, 2018 and the Legal Metrology (Packaged Commodities) Rules.

- (2) The graded material of small pack sizes of the same lot or batch and grade may be packed in a master container with complete details thereon along with the grade designation mark.
  - (3) Each package shall contain millets of the same type and of the same grade designation.
  - (4) Each package shall be properly and securely closed and sealed so as to disallow spilling and marked with replica numbers issued by the competent authority.
7. Method of marking and labeling.- (1) The grade designation mark shall be securely affixed to or clearly and indelibly printed on each package in the manner approved by the Agricultural Marketing Adviser or an officer authorised by him in this behalf in accordance with rule 11 of the General Grading and Marking Rules.
- (2) The millets shall be marked on packaging in accordance with the provisions of the Food Safety and Standards (Labeling and Display) Regulations, 2020.
  - (3) In addition to the grade designation mark, the following particulars shall be clearly and indelibly marked on each package, namely:-
    - (a) name of the commodity;
    - (b) certificate of authorisation number;
    - (c) grade;
    - (d) variety or trade name (optional);
    - (e) lot or batch number;
    - (f) date of manufacture or packaging;
    - (g) nutritional information;
    - (h) crop year (optional);
    - (i) net quantity;
    - (j) name and address of the authorised packer (printed or scannable);
    - (k) maximum retail price (inclusive of all taxes);
    - (l) expiry or use by date;
    - (m) storage condition, if any; and
    - (n) any other particulars as may be specified under the Legal Metrology (Packaged Commodities) Rules or under the Food Safety and Standards (Packaging) Regulations, 2018 and the Food Safety and Standards (Labeling and Display) Regulations, 2020 or any notification issued under any law for the time being in force or any instructions issued there under.
  - (4) The ink used for marking on packages shall be of such quality which shall not contaminate the millets.
  - (5) The authorised packer may, after obtaining prior approval of the Agricultural Marketing Adviser or an officer authorised by him in this behalf, mark his private trade mark or trade brand on the graded packages provided the same do not indicate quality other than that indicated by the grade designation mark affixed to the graded packages in accordance with these rules.
8. Special conditions for grant of certificate of authorisation.— In addition to the conditions specified in sub-rule (8) of rule 3 of the General Grading and Marking Rules, every authorised packer shall comply with the conditions specified under these rules, namely:-
- (1) The authorised packer shall either set up his own laboratory as per norms provided under rule 8 of the General Grading and Marking Rules or have access to an approved State grading laboratory or cooperative or association laboratory or a private commercial laboratory manned by a qualified chemist approved by the Agricultural Marketing Adviser or an officer authorised by him in this behalf under rule 9 of the General Grading and Marking Rules, for testing the quality of millets.
  - (2) The premises of the authorised packer shall be maintained in hygienic and sanitary condition with proper ventilation and well lighted arrangement and the personnel engaged in these operations shall be in sound health and free from any infectious, contagious or communicable diseases.

- (3) The premises of the authorised packer shall have adequate storage facilities with pucca floor and free from dampness, any kind of cracks and crevices, rodent and insect infestation.
- (4) The authorised packer and the approved chemist shall observe all instructions regarding testing, grading, packing, marking, sealing and maintenance of records which may be issued by the Agricultural Marketing Adviser or an officer authorised by him in this behalf in accordance with the General Grading and Marking Rules from time to time.
9. Other requirements: (1) For domestic trade, it shall comply with the restrictions in regard to residual levels of metal contaminants, pesticide residues, microbial requirements, crop contaminants, naturally occurring toxic substances and other food safety requirements as specified under the regulations made under the Food Safety and Standards Act, 2006 (34 of 2006).
- (2) For export trade, it shall comply with the residual limits of heavy metals, pesticides and other food safety requirements as laid down by the Codex Alimentarius Commission or importing countries requirement for export.
- (3) (i) The condition of the millets shall be so as to enable it to, -
  - (a) withstand transport and handling; and
  - (b) arrive in satisfactory condition at the place of destination.
 (ii) The millets shall be stored in a dry and hygienic place at normal room temperature.

#### SCHEDULE-I

Design of Agmark insignia

(See rule 3)



Name of the Commodity-----

Grade-----

Note: Certificate of authorisation number may be printed either,-

- (a) inside the Agmark insignia; or
- (b) Certificate of authorisation number with words "see label" (replacing number place), then certificate of authorisation number to be either preprinted or inkjet printed at prominent place on label.

## SCHEDULE-II

(See rules 4 and 5)

## Grade designation and quality of Sorghum

1. Sorghum is the dried mature grain obtained from the plant *Sorghum bicolor*.
2. Minimum requirements:-  
Sorghum shall be,-
  - (a) dry, clean, wholesome and of uniform size, shape and colour;
  - (b) free from any abnormal taste, flavour and odour;
  - (c) free from poisonous, toxic or obnoxious seeds;
  - (d) free from added coloring matter, rodent hair and excreta, filth, moulds, live and dead insects, insect fragments and fungus.
3. Criteria for grade designation:-

Table

Grade designation	Limit of tolerance (% by weight, maximum)							Weevil grains (% by count) max.	Uric acid (mg/kg) max.	Total aflatoxin (µg/kg) max.
	Moisture	Extraneous matter		Other edible grains	Damaged grains		Immature and shrivelled grains			
		Organic extraneous matter	Inorganic extraneous matter		Grains with serious defects	Grains with slight defects				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Special	12.0	0.15	0.10	1.0	0.25	3.0	2.0	1.0	100	15
Standard	13.0	0.50	0.25	1.5	0.5	5.0	3.0	2.0	100	15
General	13.0	0.75	0.25	2.0	1.0	7.0	5.0	4.0	100	15

Note: In extraneous matter, the impurities of animal origin shall not be more than 0.10% by weight.

## SCHEDULE-III

(See rules 4 and 5)

## Grade designation and quality of Pearl millet

1. Pearl millet is the dried mature grain obtained from the plants *Pennisetum glaucum*, *Pennisetum americanum*, *Pennisetum typhoideum*.
2. Minimum requirements:-  
Pearl millet shall be,-
  - (a) dry, clean, wholesome and of uniform size, shape and colour;
  - (b) free from any abnormal taste, flavour and odour;
  - (c) free from poisonous, toxic or obnoxious seeds;
  - (d) free from added coloring matter, rodent hair and excreta, filth, moulds, live and dead insects, insect fragments and fungus.
3. Criteria for grade designation:-

Table

Grade designation	Limit of tolerance (% by weight, maximum)							Weevilled grains (% by count) max.	Uric acid (mg/kg) max.	Total aflatoxin (µg/kg) max.
	Moisture	Extraneous matter		Other edible grains	Damaged grains		Immature and shrivelled grains			
		Organic extraneous matter	Inorganic extraneous matter		Grains with serious defects	Grains with slight defects				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Special	12.0	0.15	0.10	1.0	0.25	3.0	2.0	1.0	100	15
Standard	13.0	0.50	0.25	1.5	0.5	5.0	3.0	2.0	100	15
General	13.0	0.75	0.25	2.0	1.0	7.0	5.0	4.0	100	15

Note: In extraneous matter, the impurities of animal origin shall not be more than 0.10% by weight.



## SCHEDULE-IV

(See rules 4 and 5)

## Grade designation and quality of Finger millet

1. Finger millet is the dried mature grain obtained from the plant *Eleusine coracana*.
2. Minimum requirements:-  
Finger millet shall be,-
  - (a) dry, clean, wholesome and of uniform size, shape and colour;
  - (b) free from any abnormal taste, flavour and odour;
  - (c) free from poisonous, toxic or obnoxious seeds;
  - (d) free from added coloring matter, rodent hair and excreta, filth, moulds, live and dead insects, insect fragments and fungus.
3. Criteria for grade designation:-

Table

Grade designation	Limit of tolerance (% by weight, maximum)							Weevilled grains (% by count) max.	Uric acid (mg/kg) max.	Total aflatoxin (µg/kg) max.
	Moisture	Extraneous matter		Other edible grains	Damaged grains		Immature and shrivelled grains			
		Organic extraneous matter	Inorganic extraneous matter		Grains with serious defects	Grains with slight defects				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Special	12.0	0.15	0.10	1.0	0.25	3.0	2.0	1.0	100	15
Standard	13.0	0.50	0.25	1.5	0.5	5.0	3.0	2.0	100	15
General	13.0	0.75	0.25	2.0	1.0	7.0	5.0	4.0	100	15

Note: In extraneous matter, the impurities of animal origin shall not be more than 0.10% by weight.

## SCHEDULE-V

(See rules 4 and 5)

## Grade designation and quality of Foxtail millet

1. Foxtail millet is the dried mature grain obtained from the plant *Setaria italica*.
2. Minimum requirements:-  
Foxtail millet shall be,-
  - (a) dry, clean, wholesome and of uniform size, shape and colour;
  - (b) free from any abnormal taste, flavour and odour;
  - (c) free from poisonous, toxic or obnoxious seeds;
  - (d) free from added coloring matter, rodent hair and excreta, filth, moulds, live and dead insects, insect fragments and fungus.
3. Criteria for grade designation:-

Table

Grade designation	Limit of tolerance (% by weight, maximum)								Weevilled grains (% by count) max	Uric acid (mg/kg) max.	Total aflatoxin (µg/kg) max.
	Moisture	Extraneous matter		Other edible grains	Damaged grains		Immature and shrivelled grains	Grains with husk			
		Organic extraneous matter	Inorganic extraneous matter		Grains with serious defects	Grains with slight defects					
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Special	12.0	0.15	0.10	1.0	0.25	3.0	2.0	0.25	1.0	100	15
Standard	13.0	0.50	0.25	1.5	0.5	5.0	3.0	0.50	2.0	100	15
General	13.0	0.75	0.25	2.0	1.0	7.0	5.0	0.75	4.0	100	15

Note: (1) In extraneous matter, the impurities of animal origin shall not be more than 0.10% by weight.

(2) The parameter grains with husk is to be considered for dehulled millet only.

## SCHEDULE-VI

(See rules 4 and 5)

## Grade designation and quality of Kodo millet

1. Kodo millet is the dried mature grain obtained from the plant *Paspalum scrobiculatum*.
2. Minimum requirements:-  
Kodo millet shall be,-
  - (a) dry, clean, wholesome and of uniform size, shape and colour;
  - (b) free from any abnormal taste, flavour and odour;
  - (c) free from poisonous, toxic or obnoxious seeds;
  - (d) free from added coloring matter, rodent hair and excreta, filth, moulds, live and dead insects, insect fragments and fungus.
3. Criteria for grade designation:-

Table

Grade designation	Limit of tolerance (% by weight, maximum)								Weevilled grains (% by count) max	Uric acid (mg/kg) max.	Total aflatoxin (µg/kg) max.
	Moisture	Extraneous matter		Other edible grains	Damaged grains		Immature and shrivelled grains	Grains with husk			
		Organic extraneous matter	Inorganic extraneous matter		Grains with serious defects	Grains with slight defects					
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Special	12.0	0.15	0.10	1.0	0.25	3.0	2.0	0.25	1.0	100	15
Standard	13.0	0.50	0.25	1.5	0.5	5.0	3.0	0.50	2.0	100	15
General	13.0	0.75	0.25	2.0	1.0	7.0	5.0	0.75	4.0	100	15

Note: (1) In extraneous matter, the impurities of animal origin shall not be more than 0.10% by weight.

(2) The parameter grains with husk is to be considered for dehulled millet only.

## SCHEDULE-VII

(See rules 4 and 5)

## Grade designation and quality of Little millet

1. Little millet is the dried mature grain obtained from the plant *Panicum sumatrense*.
2. Minimum requirements:-  
Little millet shall be,-
  - (a) dry, clean, wholesome and of uniform size, shape and colour;
  - (b) free from any abnormal taste, flavour and odour;
  - (c) free from poisonous, toxic or obnoxious seeds;
  - (d) free from added coloring matter, rodent hair and excreta, filth, moulds, live and dead insects, insect fragments and fungus.
3. Criteria for grade designation:-

Table

Grade designation	Limit of tolerance (% by weight, maximum)								Weevilled grains (% by count) max	Uric acid (mg/kg) max.	Total aflatoxin (µg/kg) max.
	Moisture	Extraneous matter		Other edible grains	Damaged grains		Immature and shrivelled grains	Grains with husk			
		Organic extraneous matter	Inorganic extraneous matter		Grains with serious defects	Grains with slight defects					
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Special	12.0	0.15	0.10	1.0	0.25	3.0	2.0	0.25	1.0	100	15
Standard	13.0	0.50	0.25	1.5	0.5	5.0	3.0	0.50	2.0	100	15
General	13.0	0.75	0.25	2.0	1.0	7.0	5.0	0.75	4.0	100	15

Note: (1) In extraneous matter, the impurities of animal origin shall not be more than 0.10% by weight.

(2) The parameter grains with husk is to be considered for dehulled millet only.

## SCHEDULE-VIII

(See rules 4 and 5)

## Grade designation and quality of Browntop millet

1. Browntop millet is the dried mature grain obtained from the plant *Urochloa ramosa*.
2. Minimum requirements:-  
Browntop millet shall be,-
  - (a) dry, clean, wholesome and of uniform size, shape and colour;
  - (b) free from any abnormal taste, flavour and odour;
  - (c) free from poisonous, toxic or obnoxious seeds;
  - (d) free from added coloring matter, rodent hair and excreta, filth, moulds, live and dead insects, insect fragments and fungus.
3. Criteria for grade designation:-

Table

Grade designation	Limit of tolerance (% by weight, maximum).								Weevilled grains (% by count) max	Uric acid (mg/kg) max.	Total aflatoxin (µg/kg) max.
	Moisture	Extraneous matter		Other edible grains	Damaged grains		Immature and shriveled grains	Grains with husk			
		Organic extraneous matter	Inorganic extraneous matter		Grains with serious defects	Grains with slight defects					
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Special	12.0	0.15	0.10	1.0	0.25	3.0	2.0	0.25	1.0	100	15
Standard	13.0	0.50	0.25	1.5	0.5	5.0	3.0	0.50	2.0	100	15
General	13.0	0.75	0.25	2.0	1.0	7.0	5.0	0.75	4.0	100	15

Note: (1) In extraneous matter, the impurities of animal origin shall not be more than 0.10% by weight.

(2) The parameter grains with husk is to be considered for dehulled millet only.

## SCHEDULE-IX

(See rules 4 and 5)

## Grade designation and quality of Barnyard millet

1. Barnyard millet is the dried mature grain obtained from the plants *Echinochloa crus-galli*, *Echinochloa colona*, *Echinochloa frumentacea*.
2. Minimum requirements:-  
Barnyard millet shall be,-
  - (a) dry, clean, wholesome and of uniform size, shape and colour;
  - (b) free from any abnormal taste, flavour and odour;
  - (c) free from poisonous, toxic or obnoxious seeds;
  - (d) free from added coloring matter, rodent hair and excreta, filth, moulds, live and dead insects, insect fragments and fungus.
3. Criteria for grade designation:-

Table

Grade designation	Limit of tolerance (% by weight, maximum)								Weevilled grains (% by count) max	Uric acid (mg/kg) max.	Total aflatoxin (µg/kg) max.
	Moisture	Extraneous matter		Other edible grains	Damaged grains		Immature and shrivelled grains	Grains with husk			
		Organic extraneous matter	Inorganic extraneous matter		Grains with serious defects	Grains with slight defects					
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Special	12.0	0.15	0.10	1.0	0.25	3.0	2.0	0.25	1.0	100	15
Standard	13.0	0.50	0.25	1.5	0.5	5.0	3.0	0.50	2.0	100	15
General	13.0	0.75	0.25	2.0	1.0	7.0	5.0	0.75	4.0	100	15

Note: (1) In extraneous matter, the impurities of animal origin shall not be more than 0.10% by weight.

(2) The parameter grains with husk is to be considered for dehulled millet only.

## SCHEDULE-X

(See rules 4 and 5)

## Grade designation and quality of Proso millet

1. Proso millet is the dried mature grain obtained from the plant *Panicum miliaceum*.
2. Minimum requirements:-  
Proso millet shall be,-
  - (a) dry, clean, wholesome and of uniform size, shape and colour;
  - (b) free from any abnormal taste, flavour and odour;
  - (c) free from poisonous, toxic or obnoxious seeds;
  - (d) free from added coloring matter, rodent hair and excreta, filth, moulds, live and dead insects, insect fragments and fungus.
3. Criteria for grade designation:-

Table

Grade designation	Limit of tolerance (% by weight, maximum)								Weevilled grains (% by count) max	Uric acid (mg/kg) max.	Total aflatoxin (µg/kg) max.
	Moisture	Extraneous matter		Other edible grains	Damaged grains		Immature and shrivelled grains	Grains with husk			
		Organic extraneous matter	Inorganic extraneous matter		Grains with serious defects	Grains with slight defects					
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Special	12.0	0.15	0.10	1.0	0.25	3.0	2.0	0.25	1.0	100	15
Standard	13.0	0.50	0.25	1.5	0.5	5.0	3.0	0.50	2.0	100	15
General	13.0	0.75	0.25	2.0	1.0	7.0	5.0	0.75	4.0	100	15

Note: (1) In extraneous matter, the impurities of animal origin shall not be more than 0.10% by weight.

(2) The parameter grains with husk is to be considered for dehulled millet only.

## SCHEDULE-XI

(See rules 4 and 5)

Grade designation and quality of *Amaranthus* seed

1. *Amaranthus* seed is the dried mature grain obtained from the plants *Amaranthus caudatus*, *Amaranthus cruentus*, *Amaranthus hypochondriacus*.
2. Minimum requirements:-  
*Amaranthus* seed shall be,-
  - (a) dry, clean, wholesome and of uniform size, shape and colour;
  - (b) free from any abnormal taste, flavour and odour;
  - (c) free from poisonous, toxic or obnoxious seeds;
  - (d) free from added coloring matter, rodent hair and excreta, filth, moulds, live and dead insects, insect fragments and fungus.
3. Criteria for grade designation:-

Table

Grade designation	Limit of tolerance (% by weight, maximum)								Weevilled grains (% by count) max	Uric acid (mg/kg) max.	Total aflatoxin (µg/kg) max.
	Moisture	Extraneous matter		Other edible grains	Damaged grains		Immature and shrivelled grains	Grains with husk			
		Organic extraneous matter	Inorganic extraneous matter		Grains with serious defects	Grains with slight defects					
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Special	12.0	0.15	0.10	1.0	0.25	3.0	2.0	0.25	1.0	100	15
Standard	13.0	0.50	0.25	1.5	0.5	5.0	3.0	0.50	2.0	100	15
General	13.0	0.75	0.25	2.0	1.0	7.0	5.0	0.75	4.0	100	15

Note: (1) In extraneous matter, the impurities of animal origin shall not be more than 0.10% by weight.

(2) The parameter grains with husk is to be considered for dehulled millet only.



## SCHEDULE-XII

(See rules 4 and 5)

## Grade designation and quality of Buckwheat

1. Buckwheat is the dried mature grain obtained from the plant *Fagopyrum esculentum*.
2. Minimum requirements:-  
Buckwheat shall be,-
  - (a) dry, clean, wholesome and of uniform size, shape and colour;
  - (b) free from any abnormal taste, flavour and odour;
  - (c) free from poisonous, toxic or obnoxious seeds;
  - (d) free from added coloring matter, rodent hair and excreta, filth, moulds, live and dead insects, insect fragments and fungus.
3. Criteria for grade designation:-

Table

Grade designation	Limit of tolerance (% by weight, maximum)								Weevilled grains (% by count) max	Uric acid (mg/kg) max.	Total aflatoxin (µg/kg) max.
	Moisture	Extraneous matter		Other edible grains	Damaged grains		Immature and shrivelled grains	Grains with husk			
		Organic extraneous matter	Inorganic extraneous matter		Grains with serious defects	Grains with slight defects					
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Special	12.0	0.15	0.10	1.0	0.25	3.0	2.0	0.25	1.0	100	15
Standard	13.0	0.50	0.25	1.5	0.5	5.0	3.0	0.50	2.0	100	15
General	13.0	0.75	0.25	2.0	1.0	7.0	5.0	0.75	4.0	100	15

Note: (1) In extraneous matter, the impurities of animal origin shall not be more than 0.10% by weight.

(2) The parameter grains with husk is to be considered for dehulled millet only.

Explanation for the purpose of the Tables:

- (i) Extraneous matter includes inorganic and organic matter. The inorganic matter shall include sand, gravel, dirt, pebbles, stones, glass and metallic pieces, lumps of earth, clay and mud. Organic matter shall include husk, chaff, straw, weed seeds, fragments of bran and other inedible grains.
- (ii) Other edible grains are any edible grains other than the one under consideration.
- (iii) Grains with serious defects are grains in which the cotyledon has been affected or attacked by pests; grains with very slight traces of mould or decay.
- (iv) Grains with slight defects are grains with extensive seed coat staining, without the cotyledon being affected; grains in which the seed coat is wrinkled, with pronounced folding or broken grains.
- (v) Immature and shrivelled grains are kernels or pieces of grain kernels that are not fully developed.
- (vi) Grains with husk are kernels or pieces of kernels carrying husk on one sixteenth or larger portion.
- (vii) Weevilled grains are grain kernels that are partially or wholly bored by insects injurious to grain but do not include germ-eaten grains and egg-spotted grains.
- (viii) Poisonous, toxic and/or obnoxious seeds means any seed which may have damaging or dangerous effect on health, organoleptic properties or technological performance such as dhatura (*D. fastuosa* linn. and *D. stramonium* linn.), corncockle (*Agrostemma githago* L.), Akra (*Vicia* species).

[F. No. Q-11047/06/Millet/2023-Std.]

FAIZ AHMED KIDWAI, Addl. Secy. (Marketing)

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ  
(ಅಭೀಫಾ ಉಸ್ತಾನಿ)  
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ  
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ  
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು  
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-54

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ  
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 21 ಕೇನಿಪು 2024

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 17.09.2024.

ದಿನಾಂಕ: 05.08.2024 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-  
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Fruits and Vegetables Grading and Marking  
(Amendment) Rules, 2024 ರ Notification-GSR 480(E)ನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ  
ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

**MINISTRY OF AGRICULTURE AND FARMERS WELFARE**

**(Department of Agriculture and Farmers Welfare)**

**NOTIFICATION**

New Delhi the 5th August, 2024

**G.S.R. 480(E).**—Whereas, the draft rules further to amend the Fruits and Vegetables Grading and Marking Rules, 2004, were published, as required under section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), *vide* notification of the Government of India in the Ministry of Agriculture and Farmers Welfare notification number G.S.R. 99(E), dated the 5<sup>th</sup> February, 2024, in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), inviting objections and suggestions from all persons likely to be affected thereby within forty-five days from the date on which copies of the said notification published in the Gazette of India, were made available to the public;

And whereas, copies of the said notification were made available to the public on 5<sup>th</sup> February, 2024;

And whereas, the objections and suggestions received from the public in respect of the said draft rules have been duly considered by the Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government hereby makes the following rules, further to amend the Fruits and Vegetables Grading and Marking Rules, 2004, namely:-

1. **Short title and commencement.**—(1) These rules may be called the Fruits and Vegetables Grading and Marking (Amendment) Rules, 2024.  
(2) They shall come into force on the date of their final publication in the Gazette of India.
2. In the Fruits and Vegetables Grading and Marking Rules, 2004 (hereinafter referred to as the said rules) for rule 8, the following rule shall be substituted, namely:-

“8 (1) The fruits and vegetables for domestic trade, shall comply with the restrictions in regard to residual levels of metal contaminants, pesticide residues, microbial requirements, crop contaminants, naturally occurring toxic substances and other food safety requirements as specified under the regulations made under the Food Safety and Standards Act, 2006 (34 of 2006).

(2) The fruits and vegetables for export trade, shall comply with the residual limits of heavy metals, pesticides and other food safety requirements as laid down by the Codex Alimentarius Commission or importing countries requirement for export.”

3. In the said rules, for Schedule-II, the following Schedule shall be substituted, namely:—

**“SCHEDULE—II**

(see rule 4 of principal rules)

Grade designation and quality of Table Grapes

1. Table grapes shall be fruits obtained from varieties (cultivars) of *Vitis vinifera* L. which are intended for direct human consumption.
2. Minimum requirements:-
  - (i) Bunches and berries of Table grapes shall be:
    - (a) clean, sound, free from any visible foreign matter;
    - (b) free from pests, affecting the general appearance of the produce;
    - (c) free from damage caused by pests or diseases;
    - (d) free from abnormal external moisture;
    - (e) free from any foreign smell or taste;
    - (f) free from all visible traces of moulds;
    - (g) free from damage caused by high or low temperature.
  - (ii) Berries shall be intact, well formed and normally developed.
  - (iii) Table grapes shall have minimum soluble solids of sixteen degrees brix.
  - (iv) Table grapes shall have minimum sugar-acid ratio of 18:1.
3. Criteria for grade designation of Table grapes:

The criteria for grade designation is given hereunder in Table A and the provision concerning size are given in Table B:

TABLE A

Grade designation	Grade requirements	Provision concerning sizing	Grade tolerances
(1)	(2)	(3)	(4)
Extra class	(i) Grapes must be of superior quality and the bunches must be typical of variety in shape, development and coloring and have no defects. (ii) Berries must be firm, firmly attached to the stalk, evenly spaced along the stalk and have their bloom virtually intact.	As per Table B	5% by weight of bunches not satisfying the requirements for the grade, but meeting those of Class I grade or exceptionally coming within the tolerances of that grade.
Class I	(i) Grapes must be of good quality and the bunches must be typical of variety in shape, development and coloring. (ii) Berries must be firm, firmly attached to the stalk and, as far as possible, have their bloom intact. (iii) They may, however, be less evenly spaced along the stalk than in the extra class.	- do -	10% by weight of bunches not satisfying the requirements for the grade, but meeting those of Class II grade or exceptionally coming within the tolerances of that grade.

	(iv) Following slight defects may be there, provided these do not affect the general appearance of the produce and keeping quality of the package: (a) a slight defect in shape, (b) a slight defect in coloring		
Class II	(i) The bunches may show defects in shape, development and coloring provided these do not impair the essential characteristics of the variety. (ii) The berries must be sufficiently firm and sufficiently attached to the stalk. (iii) They may be less evenly spaced along the stalk than Class I grade. (iv) Following defects may be there, provided these do not affect the general appearance of the produce and keeping quality of the package: (a) defects in shape, (b) defects in coloring, (c) slight sun scorch affecting the skin only, (d) slight bruising, (e) slight skin defects	- do -	10% by weight of bunches and satisfying the requirements of the grade, but meeting the minimum requirements.

TABLE B  
PROVISIONS CONCERNING SIZING

Size is determined by the weight of bunches (in gram) and the following minimum (in gram) requirements as per bunch are laid down:-

Grade	Large berries	Small berries
Extra class	200	150
Class I	150	100
Class II	100	75

Size tolerance: (i) Extra class, Class I, Class II: 10 % by weight of bunches not satisfying the size requirements for the grade, but meeting the size requirements for the grade immediately below.

(ii) For packages not exceeding one kilogram net weight, one bunch weighing less than 150 gram is allowed to adjust the weight, provided, the bunch meets all other requirements of the specified grade.

Explanation for the purpose of both the tables: Pigmentation caused by the sun shall not be treated as a defect.

4. Other requirements:-

- (i) The grapes must have been carefully picked and have reached an appropriate degree of development and ripeness in accordance with criteria proper to the variety or commercial type and to the area in which they are grown and the development and condition of the grapes must be such as to enable them;
  - (a) to withstand transport and handling; and
  - (b) to arrive in satisfactory condition at the place of destination.

- (ii) The consumer packages of net weight not exceeding one kilogram may contain mixture of table grapes of different varieties, provided they shall meet all other requirements of the specified grade.”

[F. No. Q-11047/05/F&V/2023-Std)]

FAIZ AHMED KIDWAI, Addl. Secy. (Marketing)

**Note.**—The principal rules were published in the Gazette of India Part-II, Section-3, Sub-section (i) *vide* notification GSR 220, dated 26<sup>th</sup> June, 2004 and were last amended *vide* notification G.S.R. 1059(E), dated 10<sup>th</sup> November, 2016.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ  
(ಅಭೀಘಾ ಉಸ್ತಾನಿ)  
ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ  
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ  
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು  
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-55

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ  
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 22 ಕೇನಿಪು 2024

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 17.09.2024.

ದಿನಾಂಕ: 08.08.2024 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-  
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Tea (Holding Inquiry and Appeal) Rules,  
2024ರ Notification-GSR 487(E)ನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ  
ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-



**MINISTRY OF COMMERCE AND INDUSTRY**

**(Department of Commerce)**

**NOTIFICATION**

New Delhi, the 8th August, 2024

**G.S.R. 487(E).**—In exercise of the powers conferred by clause (xa) of sub-section (2) of section 49 of the Tea Act, 1953 (29 of 1953), the Central Government hereby makes the following rules, namely:—

1. Short title and commencement.— (1) These rules may be called the Tea (Holding Inquiry and Appeal) Rules, 2024.

(2) The rules shall come into force from the date of their publication in the Official Gazette.

2. Definitions.-(1) In these rules, unless the context otherwise requires, the following shall be inserted, namely,-

- (a) “Act” means the Tea Act, 1953 (29 of 1953);
- (b) “adjudication officer” means an officer as appointed as such under sub-section (1) of section 42A of Act;
- (c) “appellant” means a person aggrieved with an order of adjudicating officer and prefers an appeal before the appellate authority under sub-section section (2) of section 42 A of the Act;
- (d) “appellate authority” means the appellate authority referred to under sub-section (2) of section 42 A of the Act;
- (e) “Form” means a form appended to these rules.

(2) The words and expressions used in these rules and not defined but defined in the Act, shall have the same meanings respectively assigned to them in the Act;

3. Holding of inquiry. —

(1) For the purpose of adjudication of penalties under section 42A of the Act, the adjudicating officer shall, on receipt of a complaint indicating contravention of any provision of any section specified therein, issue a notice in Form-I to such person requiring him to show cause within such period as may be specified in the notice (being not less than seven days from the date of service thereof) why an inquiry should not be held against him.

(2) Every notice under sub-rule (1) shall indicate the nature of contravention alleged to have been committed.

(3) After considering the cause, if any, shown by such person, the adjudicating officer is of the opinion that an inquiry should be held, he shall issue a notice requiring the appearance of that person personally or through a representative duly authorised by him on such date as may be fixed in the notice.

(4) On the date fixed, the adjudicating officer shall explain to the person proceeded against or his authorised representative, the contravention committed by such person and the provision of the Act, in respect of which contravention is alleged to have been committed.

(5) The adjudicating officer shall, then, give an opportunity to such person to produce such documents or evidence under Form-II as he may consider relevant to the inquiry and if necessary, the hearing may be adjourned to a future date (not later than fifteen days from the first date and no adjournment shall be granted more than three times and in taking such evidence the adjudicating officer shall not be bound to observe the provisions of the Bhartiya Sakshya Adhiniyam, 2023 (47 of 2023).

(6) While holding an inquiry under these rules, the adjudicating officer may require and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document which in the opinion of the adjudicating officer may be useful for or relevant to the subject matter of the inquiry.

(7) If any person fails, neglects or refuses to appear as required under sub-rule (3) before the adjudicating officer, the adjudicating officer may proceed with the inquiry in the absence of such person after recording the reasons for doing so.

(8) If, upon consideration of the evidence produced before the adjudicating officer, the adjudicating officer is satisfied that the person has committed the contravention, he may by order in writing, impose such penalty under the Act as he considers reasonable.

(9) Every order made under sub-rule (8) shall specify the provision of the Act in respect of which contravention has been committed and shall contain the reasons for imposing the penalty.

(10) Every order made under sub-rule (8) shall be dated and signed by the adjudicating officer.

(11) A copy of the order made under this rule and all other copies of proceedings shall be supplied to the person against whom the inquiry was held.

(12) The adjudicating officer shall complete the proceedings within one hundred eighty days from the first date of issuance of the notice to the person against whom the inquiry was held.

(13) A notice or an order issued under these rules shall be served on the person against whom an inquiry is held, in any of the following manner, namely:-

(i) by delivering or tendering it to that person or his authorised representative; or

(ii) by sending it to the person through electronic means or by registered post or speed post to the address of his place of residence or his last known place of residence or the place where he carried on or last carried on, business or personally works or last worked for gain; or

(iii) if it cannot be served in the manner specified under clauses (i) or (ii), by affixing it on the outer door or some other conspicuous part of the premises in which that person resides or is known to have last resided or carried on business or personally works or has worked for gain.

4. Appeal. — (1) Any person aggrieved by an order of the adjudicating officer under these rules, may prefer an appeal to the appellate authority under section 42A of the Act in Form-III.

(2) The appeal shall be filed with the appellate authority within a period of sixty days from the date of the order:

Provided that, the appellate authority may, where sufficient cause for not preferring the appeal within such period of sixty days is given, he may admit the appeal for reasons to be recorded in writing for such extension.

(3) The appeal shall be accompanied by a copy of order of adjudicating officer issued under sub-rule (8) of rule 3 and a clear statement of facts appealed against, the grounds for appeal and the relevant section of the Act.

(4) The appeal shall be filed in triplicate by the appellant in person or by his duly authorised representative in writing duly appointed in this behalf, or by registered post or speed post or through electronic means.

(5) The appeal sent by post shall be deemed to have been filed to the appellate authority on the day it is received.

(6) If on scrutiny, the appeal is found to be in order, it shall be admitted and in case the appeal is found to be defective, the appellate authority may allow the appellant to rectify the defects within fifteen days from the date on which the defect has been intimated to him and if the appellant fails to rectify such defects within such period, the appellate authority may by order and for reasons to be recorded in writing, refuse to register such appeal and communicate the decision to the appellant within a period of seven days thereof.

(7) On admission of appeal, the appellate authority shall serve a copy of appeal upon the person against whom the appeal is sought and shall require him to file his reply thereto, if any, within a period, not exceeding thirty days, or as provided in the said notice

(8) The notice may be served by hand or by registered post or speed post or through electronic means.

(9) A copy of the reply, application or written representation filed before the appellate authority shall be forthwith served on the appellant.

(10) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such orders as he may consider reasonable.

(11) The appellate authority shall dispose of the appeal within sixty days from the date of admission of appeal.

5.Extension of time. — The adjudicating officer or the appellate authority may, for reasons to be recorded in writing, where there is a reasonable cause for the delay or failure to act, extend any period specified in these rules till such period as he considers reasonable

6.Order and penalties. — (1) Every order under these rules, shall be dated, signed and communicated to all the parties.

(2) All sums realised by way of penalties under these rules shall be credited to the Consolidated Fund of India.

**Form –I****[See sub-rule (1) of rule3]**

To

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**SHOW CAUSE NOTICE**

Sub: Contravention of the Tea Act, 1953.

Sir/Madam,

As per the complaint received, *vide* dated \_\_\_\_\_(copy enclosed), a contravention has been committed under section ----- of the Tea Act, 1953 at .....

2. The above contravention is liable for penalty. Therefore, you are required to show cause within a period of ----- days of service of this notice, why an inquiry should not be initiated against you under section 42 A of the Tea Act, 1953 for imposition of penalty. In case, no reply is received within the given period, necessary action shall be taken under the Act .

Adjudicating officer

Date and place.....

**FORM-II****Furnishing of document or evidence by or on behalf of the contravener****[See sub-rule (5) of rule3]**

To

.....  
.....  
.....

1. I/We, .....

.....  
.....

hereby give a statement in reference to the show cause notice dated .....

.....  
.....

2. Complete address including postal index number/code and state along with mobile number and e-mail.

3. Signature of the contravener or his authorised representative:

4. Name of the person along with mobile number who has signed

**FORM-III****Appeal****[See sub-rule (1) of rule4]**

To

Appellate Authority,

.....

.....

.....

1. Particular of appellant:

(i) Name:

(ii) Address for correspondence:

(iii) Contact No:

(iv) Email:

2. Grounds of appeal:

(A copy of order of adjudicating officer to be enclosed)

3. Date of order of the adjudicating officer:

4. Statement of facts:

I/We....., the appellant hereby declare that the facts stated herein above are correct to the best of my/our knowledge, information and belief.

5. Signature of appellant and date:

6. Name of appellant:

[F. No. K-58013/8/2023-PLANT(COORD)]

AMARDEEP SINGH BHATIA, Addl. Secy.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ  
(ಅಭೀಫಾ ಉಸ್ತಾನಿ)  
ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ  
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ  
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು  
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-56

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ  
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 23 ಕೇನಿಪ್ರ 2024

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 17.09.2024.

ದಿನಾಂಕ: 08.08.2024 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-  
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Rubber (Holding Inquiry and Appeal) Rules,  
2024ರ Notification-GSR 488 (E)ನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ  
ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

**MINISTRY OF COMMERCE AND INDUSTRY**

**(Department of Commerce)**

**NOTIFICATION**

New Delhi, the 8th August, 2024

**G.S.R. 488(E).**—In exercise of the powers conferred by clause (xxiiia) and (xxiiib) of sub-section (2) of section 25 of the Rubber Act, 1947 ( 24 of 1947), the Central Government hereby makes the following rules, namely:-

**1. Short title and commencement.**—(1) These rules may be called the Rubber (Holding Inquiry and Appeal) Rules, 2024.

(2) The rules shall come into force from the date of their publication in the Official Gazette.

**2. Definitions.**—(1) In these rules, unless the context otherwise requires, the following shall be inserted, namely,-

(a) “Act” means the Rubber Act, 1947 ( 24 of 1947);

(b) “adjudication officer” means an officer as appointed as such under sub- section (1) of section 26B of the Rubber Act, 1947 ( 24 of 1947);

(c) “appellant” means a person aggrieved with an order of adjudicating officer and prefers an appeal before the appellate authority under sub-section section (2) of section 26 B of the Act;

(d) “appellate authority” means the appellate authority referred to under sub-section (2) of section 26B of the Act;

(e) “Form” means a form appended to these rules.

(2) The words and expressions used in these rules and not defined but defined in the Act, shall have the same meanings respectively assigned to them in the Act;

**3. Holding of inquiry. —**

(1) For the purpose of adjudication of penalties under section 26B of the Act, the adjudicating officer shall, on receipt of a complaint indicating contravention of any provision of any section specified therein, issue a notice in Form-I to such person, requiring him to show cause within such period as may be specified in the notice (being not less than seven days from the date of service thereof) why an inquiry should not be held against him.

(2) Every notice under sub-rule (1) shall indicate the nature of contravention alleged to have been committed.

(3) After considering the cause, if any, shown by such person, the adjudicating officer is of the opinion that an inquiry should be held, he shall issue a notice requiring the appearance of that person personally or through a representative duly authorised by him on such date as may be fixed in the notice.

(4) On the date fixed, the adjudicating officer shall explain to the person proceeded against or his authorised representative, the contravention committed by such person and the provision of the Act, in respect of which contravention is alleged to have been committed.

(5) The adjudicating officer shall, then, give an opportunity to such person to produce such documents or evidence under Form-II as he may consider relevant to the inquiry and if necessary, the hearing may be adjourned to a future date (not later than –fifteen days from the first date and no adjournment shall be granted more than three times and in taking such evidence the adjudicating officer shall not be bound to observe the provisions of the Bhartiya Sakshya Adhiniyam, 2023 (47 of 2023).

(6) While holding an inquiry under these rules, the adjudicating officer may require and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document which in the opinion of the adjudicating officer may be useful for or relevant to the subject matter of the inquiry.

(7) If any person fails, neglects or refuses to appear as required under sub-rule (3) before the adjudicating officer, the adjudicating officer may proceed with the inquiry in the absence of such person after recording the reasons for doing so.

(8) If, upon consideration of the evidence produced before the adjudicating officer, the adjudicating officer is satisfied that the person has committed the contravention, he may by order in writing, impose such penalty under the Act as he considers reasonable.

(9) Every order made under sub-rule (8) shall specify the provision of the Act in respect of which contravention has been committed and shall contain the reasons for imposing the penalty.



(10) Every order made under sub-rule (8) shall be dated and signed by the adjudicating officer.

(11) A copy of the order made under this rule and all other copies of proceedings shall be supplied to the person against whom the inquiry was held.

(12) The adjudicating officer shall complete the proceedings within one hundred eighty days from the first date of issuance of the notice to the person against whom the inquiry was held.

(13) A notice or an order issued under these rules shall be served on the person against whom an inquiry is held, in any of the following manner, namely:-

(i) by delivering or tendering it to that person or his authorised representative; or

(ii) by sending it to the person through electronic means or by registered post or speed post to the address of his place of residence or his last known place of residence or the place where he carried on or last carried on, business or personally works or last worked for gain; or

(iii) if it cannot be served in the manner specified under clauses (i) or (ii), by affixing it on the outer door or some other conspicuous part of the premises in which that person resides or is known to have last resided or carried on business or personally works or has worked for gain.

**4. Appeal.**—(1) Any person aggrieved by an order of the adjudicating officer under these rules, may prefer an appeal to the appellate authority under sub-section (2) of section 26B of the Act in Form-III.

(2) The appeal shall be filed with the appellate authority within a period of sixty days from the date of the order:

Provided that, the appellate authority may, where sufficient cause for not preferring the appeal within such period of sixty days is given, he may admit the appeal for reasons to be recorded in writing for such extension

(3) The appeal shall be accompanied by a copy of order of adjudicating officer issued under sub-rule (8) of rule 3 and a clear statement of facts appealed against, the grounds for appeal and the relevant section of the Act.

(4) The appeal shall be filed in triplicate by the appellant in person or by his duly authorised representative in writing duly appointed in this behalf, or by registered post or speed post or through electronic means.

(5) The appeal sent by post shall be deemed to have been filed to the appellate authority on the day it is received.

(6) If on scrutiny, the appeal is found to be in order, it shall be admitted and in case the appeal is found to be defective, the appellate authority may allow the appellant to rectify the defects within fifteen days from the date in which the defect has been intimated to him and if the appellant fails to rectify such defects within such period, the appellate authority may by order and for reasons to be recorded in writing, refuse to register such appeal and communicate the decision to the appellant within a period of seven days thereof.

(7) On admission of appeal, the appellate authority shall serve a copy of appeal upon the person against whom the appeal is sought and shall require him to file his reply thereto, if any, within a period, not exceeding thirty days, or as may be provided in the said notice

(8) The notice may be served by hand or by registered post or speed post or through electronic means.

(9) A copy of the reply, application or written representation filed before the appellate authority shall be forthwith served on the appellant.

(10) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such orders as he may consider reasonable.

(11) The appellate authority shall dispose of the appeal within sixty days from the date of admission of appeal.

**5.Extension of time.**—The adjudicating officer or the appellate authority may, for reasons to be recorded in writing, where there is a reasonable cause for the delay or failure to act, extend any period specified in these rules till such period as he considers reasonable

**6.Order and penalties.**—(1) Every order under these rules, shall be dated, signed and communicated to all the parties.

(2) All sums realised by way of penalties under these rules shall be credited to the Consolidated Fund of India

**Form –I****[See sub-rule (1) of rule 3]**

To

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**SHOW CAUSE NOTICE**

Sub: Contravention of the Rubber Act, 1947.

Sir/Madam,

As per the complaint received, *vide* dated \_\_\_\_\_(copy enclosed), a contravention has been committed under section ----- of the Rubber Act, 1947 at .....

2. The above contravention is liable for penalty. Therefore, you are required to show cause within a period of ----- days of service of this notice, why an inquiry should not be initiated against you under section 26 B of the Rubber Act, 1947 for imposition of penalty. In case, no reply is received within the given period, necessary action shall be taken under the Act .

Adjudicating officer

Date and place.....

**FORM-II****Furnishing of document or evidence by or on behalf of the contravener****[See sub-rule (5) of rule 3]**

To

.....  
.....  
.....

1. I/We, .....

.....  
.....

hereby give a statement in reference to the show cause notice dated .....

.....  
.....

2. Complete address including postal index number/code and state along with mobile number and e-mail.
3. Signature of the contravener or his authorised representative:
4. Name of the person along with mobile number who has signed

**FORM-III****Appeal****[See sub-rule (1) of rule 4]**

To

Appellate Authority,

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.....

.....

1. Particular of appellant:

(i) Name:

(ii) Address for correspondence:

(iii) Contact No:

(iv) Email:

2. Grounds of appeal:

(A copy of order of adjudicating officer to be enclosed)

3. Date of order of the adjudicating officer:

4. Statement of facts:

I/We....., the appellant hereby declare that the facts stated herein above are correct to the best of my/our knowledge, information and belief.

5. Signature of appellant and date:

6. Name of appellant

[F. No. K-58013/8/2023-PLANT(COORD)]

AMARDEEP SINGH BHATIA, Addl. Secy.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ  
(ಅಭೀಫಾ ಉಸ್ತಾನಿ)  
ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ  
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ  
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು  
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-57

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ  
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 24 ಕೇನಿಪ್ರ 2024

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 17.09.2024.

ದಿನಾಂಕ: 08.08.2024 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-  
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Spices Board (Holding Inquiry and Appeal)  
Rules, 2024ರ Notification-GSR 489 (E)ನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ  
ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

**MINISTRY OF COMMERCE AND INDUSTRY****(Department of Commerce)****NOTIFICATION**

New Delhi, the 8th August, 2024

**G.S.R. 489(E).**—In exercise of the powers conferred by Section 38 of the Spices Board Act, 1986 (10 of 1986), the Central Government hereby makes the following rules, namely:-

**1. Short title and commencement.**- (1) These rules may be called the Spices Board (Holding Inquiry and Appeal) Rules, 2024.

(2) The rules shall come into force from the date of their publication in the Official Gazette.

**2. Definitions.**- (1) In these rules, unless the context otherwise requires,-

- (a) “Act” means the Spices Board Act, 1986 (10 of 1986);
- (b) “adjudication officer” means an officer as appointed as such under section 30A of the Act, 1986;
- (c) “appellant” means a person aggrieved with an order of adjudicating officer and prefers an appeal before the appellate authority under sub-section section (2) of section 30 A of the Act;
- (d) “appellate authority” means the appellate authority referred to under sub-section (2) of section 30 A of the Act;
- (e) “Form” means a form appended to these rules.

(2) The words and expressions used in these rules and not defined but defined in the Act, shall have the same meanings respectively assigned to them in the Act;

**3. Holding of inquiry.** — (1) For the purpose of adjudication of penalties under section 30A of the Act, the adjudicating officer shall, on receipt of a complaint indicating contravention of any provision of any section specified therein, issue a notice in Form-I to such person requiring him to show cause within such period as may be specified in the notice (being not less than seven days from the date of service thereof) why an inquiry should not be held against him.

- (2) Every notice under sub-rule (1) shall indicate the nature of contravention alleged to have been committed.
- (3) After considering the cause, if any, shown by such person, the adjudicating officer is of the opinion that an inquiry should be held, he shall issue a notice requiring the appearance of that person personally or through a representative duly authorised by him on such date as may be fixed in the notice.
- (4) On the date fixed, the adjudicating officer shall explain to the person proceeded against or his authorised representative, the contravention committed by such person and the provision of the Act, in respect of which contravention is alleged to have been committed.
- (5) The adjudicating officer shall, then, give an opportunity to such person to produce such documents or evidence under Form-II as he may consider relevant to the inquiry and if necessary, the hearing may be adjourned to a future date (not later than fifteen days and) no adjournment shall be granted more than three times and in taking such evidence the adjudicating officer shall not be bound to observe the provisions of the Bhartiya Sakshya Adhiniyam, 2023 (47 of 2023).
- (6) While holding an inquiry under these rules, the adjudicating officer may require and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document which in the opinion of the adjudicating officer may be useful for or relevant to the subject matter of the inquiry.
- (7) If any person fails, neglects or refuses to appear as required under sub-rule (3) before the adjudicating officer, the adjudicating officer may proceed with the inquiry in the absence of such person after recording the reasons for doing so.
- (8) If, upon consideration of the evidence produced before the adjudicating officer, the adjudicating officer is satisfied that the person has committed the contravention, he may by order in writing, impose such penalty under the Act as he considers reasonable.
- (9) Every order made under sub-rule (8) shall specify the provision of the Act in respect of which contravention has been committed and shall contain the reasons for imposing the penalty.

- (10) Every order made under sub-rule (8) shall be dated and signed by the adjudicating officer.
- (11) A copy of the order made under this rule and all other copies of proceedings shall be supplied to the person against whom the inquiry was held.
- (12) The adjudicating officer shall complete the proceeding within one hundred eighty days from the first date of issuance of the notice to the person against whom the inquiry was held.
- (13) A notice or an order issued under these rules shall be served on the person against whom an inquiry is held, in any of the following manner namely:-
  - (i) by delivering or tendering it to that person or his authorised representative; or
  - (ii) by sending it to the person through electronic means or by registered post or speed post to the address of his place of residence or his last known place of residence or the place where he carried on or last carried on, business or personally works or last worked for gain; or
  - (iii) if it cannot be served in the manner specified under clauses (i) or (ii), by affixing it on the outer door or some other conspicuous part of the premises in which that person resides or is known to have last resided or carried on business or personally works or has worked for gain.

**4. Appeal.** — (1) Any person aggrieved by an order of the adjudicating officer under these rules, may prefer an appeal to the appellate authority in Form-III.

- (2) The appeal shall be filed with the appellate authority within a period of sixty days from the date of the order:  
 Provided that, the appellate authority may, where sufficient cause for not preferring the appeal within such period of sixty days is given, he may admit the appeal and for reasons to be recorded in writing for such extension.
- (3) The appeal shall be accompanied by a copy of order of adjudicating officer issued under sub-rule (8) of rule 3 and a clear statement of facts appealed against, the grounds for appeal and the relevant section of the Act.
- (4) The appeal shall be filed by the appellant in person or by his duly authorised representative in writing duly appointed in this behalf, or by registered post or speed post or through electronic means.
- (5) The appeal sent by post shall be deemed to have been filed to the appellate authority on the day it is received.
- (6) If on scrutiny, the appeal is found to be in order, it shall be admitted and in case the appeal is found to be defective, the appellate authority may allow the appellant, to rectify the defects within fifteen days from the date on which the defect has been intimated to him and if the appellant fails to rectify such defects within such period, the appellate authority may by order and reasons to be recorded in writing, refuse to register such appeal and communicate decision to the appellant within a period of seven days thereof.
- (7) On admission of the appeal, the appellate authority shall serve a copy of appeal upon the person against whom the appeal is sought require him to file his reply thereto, within a period, not exceeding thirty days, or as provided in the said notice.
- (8) The notice may be served by hand or by registered post or speed post or through electronic means.
- (9) A copy of the reply, application or written representation filed by the adjudicating officer before the appellate authority shall be forthwith served on the appellant.
- (10) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such orders as he may consider reasonable.
- (11) The appellate authority shall dispose of the appeal within sixty days from the date of admission of appeal.

**5.Extension of time.** — The adjudicating officer or the appellate authority may, for reasons to be recorded in writing, where there is a reasonable cause for the delay or failure to act, extend any period specified in these rules till such period as he considers reasonable

**6.Order and penalties.** — (1) Every order under these rules, shall be dated, signed and communicated to all the parties.

- (2) All sums realised by way of penalties under these rules shall be credited to the Consolidated Fund of India .

**Form –I****Show cause notice****[See sub-rule (1) of rule3]**

To

-----  
-----  
-----

**SHOW CAUSE NOTICE****Sub: Contravention of the Spices Board Act, 1986.**

Sir/Madam,

As per complaint received, *vide* dated \_\_\_\_\_(copy enclosed), a contravention has been committed under section ----- of the Spices Board Act, 1986 at .....

2. The above contravention is liable for penalty. Therefore, you are required to show cause within a period of ----- days of service of this notice, why an inquiry should not be initiated against you under section 30 A of the Spices Board Act, 1986 for imposition of penalty. In case, no reply is received within the given period, necessary action shall be taken under the Act .

Adjudicating officer

Date and place.....



**FORM-II****Furnishing of document or evidence by or on behalf of the contravener****[See sub-rule (5) of rule3]**

To

.....  
 .....  
 .....

1. I/We, .....

.....  
 .....

hereby give a statement in reference to the show cause notice dated .....

.....  
 .....

2. Complete address including postal index number/code and state along with mobile number and e-mail.

3. Signature of the contravener or his authorised representative:

4. Name of the person along with mobile number who has signed

**FORM-III****Appeal****[See sub-rule (1) of rule4]**

To

Appellate Authority,

.....  
 .....  
 .....

1. Particular of appellant:

(i) Name:

(ii) Address for correspondence:

(iii) Contact No:

(iv) Email:

2. Grounds of appeal:

(A copy of order of adjudicating officer to be enclosed)

3. Date of order of the adjudicating officer:

4. Statement of facts:

I/We....., the appellant hereby declare that the facts stated herein above are correct to the best of my/our knowledge, information and belief.

5. Signature of appellant and date:

6. Name of appellant:

[F. No. K-58013/8/2023-PLANT(COORD)]

AMARDEEP SINGH BHATIA, Addl. Secy.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ  
(ಅಭೀಫಾ ಉಸ್ತಾನಿ)  
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ  
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ  
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು  
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-58

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ  
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 25 ಕೇನಿಪ್ರ 2024

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 17.09.2024.

ದಿನಾಂಕ: 09.08.2024 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-  
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Offshore Areas Mineral Trust Rules, 2024ರ  
Notification-GSR 490 (E)ನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು  
ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

## MINISTRY OF MINES

## NOTIFICATION

New Delhi, the 9th August, 2024

**G.S.R. 490(E).**—In exercise of the powers conferred by sub-section (1) read with clauses (jj), (jk), (jl) and (jm) of sub-section (2) of section 35 of the Offshore Areas Mineral (Development and Regulation) Act, 2002 (17 of 2003), the Central Government hereby makes the following rules, namely:—

1. **Short title and commencement.**—(1) These rules may be called the Offshore Areas Mineral Trust Rules, 2024.  
  
(2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions.**—(1) In these rules, unless the context otherwise requires, -
  - (a) “**Act**” means the Offshore Areas Mineral (Development and Regulation) Act, 2002 (17 of 2003);
  - (b) “**Chairperson, Executive Committee**” means the Chairperson of the Executive Committee of the Trust;
  - (c) “**Chairperson, Governing Body**” means the Chairperson of the Governing Body of the Trust;
  - (d) “**Executive Committee**” means the Executive Committee of the Trust;
  - (e) “**fund**” means the fund referred to in rule 6;
  - (f) “**Governing Body**” means the Governing Body of the Trust;
  - (g) “**Member, Executive Committee**” means the member of the Executive Committee of the Trust;
  - (h) “**Member, Governing Body**” means the member of the Governing Body of the Trust;
  - (i) “**offshore obvious geological potential areas**” means the area identified by the Geological Survey of India from time to time; and
  - (j) “**Trust**” means the Offshore Areas Mineral Trust established by notification by the Central Government under sub-section (1) of section 16A of the Act.

(2) Words and expressions used herein and not defined in these rules but defined in the Act shall have the same meanings as assigned to them in the Act and the rules made thereunder.
3. **The Functions of the Governing Body and the Executive Committee.**—(1) The Governing Body shall lay down the broad policy framework for the functioning of the Trust and review its working.  
  
(2) The Governing Body shall approve the annual plan and annual budget of the Trust upon the recommendations of the Executive Committee and it shall meet at least once in a year.  
  
(3) The Executive Committee shall manage, administer and supervise the Trust and shall also monitor and review the expenditure of the Trust fund at regular intervals.  
  
(4) The Executive Committee shall, while discharging its functions, follow the policy framework and the directions of the Governing Body from time to time.  
  
(5) The Chairperson of the Executive Committee may vary the term of office of any nominated member or remove him from the Executive Committee before the completion of his term.
4. **Membership of Governing Body.**—(1) The Central Government shall notify composition of the Governing Body having *ex officio* members and other special invitees.  
  
(2) Special invitees, if any, of the Governing Body shall be entitled to such sitting fee, conveyance and out of pocket expenditure as the Governing Body may decide.

- 5. Membership of Executive Committee.**—(1) The Central Government shall notify composition of the Executive Committee having *ex officio* members and other members.
- (2) The *ex officio* members only shall have voting rights.
- (3) Members, other than *ex officio* members including special invitees shall have no voting rights but shall be entitled to such sitting fee, conveyance and out of pocket expenditure as the Governing Body may decide.
- 6. Manner of administration of fund accrued to the trust.**—(1) The fund accrued to the Trust shall be managed by the Executive Committee of the Trust.
- (2) The fund shall be opened under the Public Account of India which shall be a non-lapsable and non-interest bearing account and shall be administered by the Central Government.
- (3) The fund shall comprise of payments, as provided under rule 7, payable by the holders of the production lease.
- (4) The fund shall be utilized for carrying out the objects and functions as specified in rule 9.
- 7. Contribution to Trust.**—The holder of production lease shall, while making payment of royalty to the Central Government, pay to the Trust a sum equivalent to ten percentage of the royalty by depositing the same in the Public Account of the India under the Head booked for this purpose.
- 8. Office.**—The office of the Trust shall be situated at Ministry of Mines, Central Secretariat building, New Delhi or at such other place as may be determined by the Executive Committee.
- 9. Objects and functions of the Trust.**—(1) The Trust shall undertake the following activities to achieve its objects, namely:—
- research, administration, studies and related expenditure with respect to offshore areas and mitigation of any adverse impact that may be caused to the ecology in the offshore area, due to operations undertaken;
  - providing relief upon the occurrence of any disaster in the offshore area;
  - the purposes of exploration in the offshore area;
  - for the interest and benefit of persons affected by exploration or production operations undertaken;
  - funding institutions, start-ups and micro, small and medium enterprises for undertaking special studies and projects designed to identify, explore, extract, beneficiate and refine minerals occurring in offshore areas;
  - studies for mineral development, sustainable production operations, adoption of advanced scientific and technological practices and mineral extraction metallurgy;
  - consultation with the Central Geological Programming Board to decide the priorities for exploration of the Trust;
  - facilitation of reconnaissance or exploration operation in such a manner that the offshore areas explored can be taken up for grant of operating rights in accordance with the provisions of the Act and the rules made thereunder;
  - promoting completion of detailed exploration (G2 or G1) in the areas where G3 stage exploration has been completed;
  - facilitation of geological and geophysical survey of offshore obvious geological potential areas;
  - funding procurement of sophisticated scientific equipment for advanced survey and exploration operations by government organizations;

- (l) promoting subsea survey and exploration, including use of specialised submersibles and observatories;
  - (m) facilitating a national marine core repository for encouraging research in earth sciences and for evaluation of the mineral prospects;
  - (n) organizing capacity building programmes to raise technical capability of personnel engaged in or to be engaged in reconnaissance or exploration or production operations;
  - (o) promoting conservation of marine areas or marine ecosystem and any community dependent on such marine ecosystem in the vicinity of the identified offshore areas;
  - (p) encouraging and assisting international co-operation in knowledge and technology exchange programmes;
  - (q) funding and encouraging organization of national and international workshops, seminars in the field of geological, geophysical, environmental and metallurgical studies in offshore areas; and
  - (r) using the Trust fund for such other purposes that the Governing Body may decide, or authorise the Executive Committee, to be necessary or expedient in the interest of conservation, development and exploitation of mineral resources in offshore areas, not inconsistent with the provisions of the Act.
- (2) In furtherance of the objectives referred to in sub-rule (1), the Governing Body may employ or hire personnel, own and dispose off property, including intellectual property, incur administrative expenses and execute documents as may be necessary.

**10. Management of the Trust.**—(1) The overall control, periodical reviews and policy directions of the Trust shall vest with the Governing Body.

- (2) The Executive Committee shall manage, administer and supervise the day to day activities of the Trust.
- (3) The Governing Body may authorize the Executive Committee to exercise any or all of its powers specified in sub-rule (1).
- (4) The Executive Committee shall formulate and finalize the scheme for delegation of financial powers.

**11. Committees.**—(1) The Executive Committee may constitute committees or sub-committees to undertake such tasks that may be assigned or delegated by the Executive Committee to such committees or sub-committees.

- (2) Subject to any direction by the Executive Committee, the committee or sub-committee constituted under sub-rule (1) shall devise its own procedure in the discharge of the duties and responsibilities under these rules and in exercise of such powers and functions as may be specified by the Executive Committee.

**12. Implementation of projects by the Executive Committee.**—(1) The Executive Committee may undertake projects to implement the objectives of the Trust on its own accord or upon receipt of a project proposal from the Central Government, State Government, Geological Survey of India, Indian Bureau of Mines or any other entity, including private sector entities.

- (2) In implementation of the projects referred to in sub-rule (1), the Executive Committee may devise its own procedure consistent with the Act and the rules made thereunder.

**13. Monitoring of projects.**—(1) The Trust shall monitor implementation of the projects either by itself or by engaging any government entity.

- (2) For the purposes of sub-rule (1), the Trust may devise its own procedure consistent with the Act and the rules made thereunder.

**14. Meetings of the Governing Body.**—(1) The Governing Body shall meet at least once in a year.

(2) The meetings of the Governing Body shall be presided by the Chairperson, Governing Body and in the absence of the Chairperson, Governing Body, the *ex officio* Members of the Governing Body may elect an officiating Chairperson, from amongst themselves.

(3) The meetings of the Governing Body may be either physical or virtual or by circulation or by combination of either:

Provided that the meeting by circulation shall not apply for adoption of accounts of the Trust or for approval of annual plan and annual budget of the Trust.

(4) All decisions or resolutions including circular resolutions of the Governing Body shall be made or adopted by consensus.

(5) In case of any disagreement or dissent, the decision of the Chairperson, Governing Body shall be final.

**15. Meetings of the Executive Committee.**—(1) The Executive Committee shall meet at least once in every three months.

(2) The meetings of the Executive Committee shall be presided by the Chairperson, Executive Committee and in the absence of the Chairperson, Executive Committee, the *ex officio* Members of the Executive Committee may elect an officiating Chairperson, from amongst themselves.

(3) The meetings of the Executive Committee may be either physical or virtual or by circulation or by combination of either:

Provided that the meeting by circulation shall not apply for adoption of accounts of the Trust, recommendation to Governing Body for approval of annual plan, annual budget and annual report of the Trust.

(4) All decisions or resolutions including circular resolutions of the Executive Committee shall be made or adopted by a majority of votes of the members of the Executive Committee present and voting.

(5) In case of equality of votes, the Chairperson, Executive Committee, or in his absence, the member presiding over such meeting as the Chairperson shall have a casting vote:

Provided that no member shall vote or take part in the discussion of any matter coming up for consideration at a meeting of the Executive Committee or any of its committees or sub-committees, if the matter is one in which such member has any direct, indirect or pecuniary interest.

**16. Notice and agenda for meeting of the Governing Body and Executive Committee .**—(1) The Chairperson or the Convenor of the Governing Body with the consent of the Chairperson, Governing Body, shall convene the meeting of the Governing Body by giving a minimum fifteen days' notice to all the members:

Provided that the Chairperson, Governing Body may authorize to convene a meeting with a shorter notice period.

(2) The Chairperson or the Member Secretary of the Executive Committee, with the consent of the Chairperson shall convene the meeting of the Executive Committee by giving a minimum seven days' notice to all the Members:

Provided that the Chairperson of the Executive Committee may authorize to convene a meeting with a shorter notice period.

(3) Notice for any meeting shall include an agenda for that meeting, draft minutes of the earlier meeting and action taken report on the minutes of the earlier meeting.

**17. Quorum for meeting.**—(1) The quorum for any meeting of the Governing Body shall be one-third of the total number of members, excluding the special invitees.

(2) The quorum for any meeting of the Executive Committee, including a virtual meeting, shall be one-third of the total number of members, excluding the nominated members.

**18. Powers and functions of the Member Secretary of the Executive Committee.**—(1) There shall be a Member Secretary of the Executive Committee to discharge the functions of the Executive Committee.

- (2) The Member Secretary of the Executive Committee shall,—
  - (a) administer and manage the Trust subject to the superintendence, control and direction of the Executive Committee.
  - (b) exercise such administrative and financial powers as may be delegated by the Executive Committee or as may be assigned by the Chairperson, Executive Committee.
- (3) The Member Secretary of the Executive Committee shall have the following duties and responsibilities, without prejudice to the generality of sub-rule (1) and (2), namely:—
  - (a) to cause the preparation of the annual plan and related annual budget and submit them to the Executive Committee for consideration and recommendation to the Governing Body;
  - (b) to ensure that due diligence has been exercised before considering proposals or projects to be undertaken by the Trust in accordance with the practices, procedure, rules or directions of the Executive Committee;
  - (c) to ensure that the activities of the Trust are being conducted in accordance with the annual plan and related annual budget; and
  - (d) to submit to the Governing Body the annual plan and related annual budget for each financial year, by the end of January of previous financial year.
19. **Annual Plan.**—(1) The Member Secretary of the Executive Committee shall, before the beginning of each financial year, cause preparation of plans for short term projects and long term projects proposed to be undertaken by the Trust in the relevant financial year, to be referred as the annual plan, together with details of the activities to be undertaken or completed by the Trust during such time, the expected time for completion of the projects and cost for such projects.
  - (2) The annual plan shall contain all projects, programmes, activities proposed to be undertaken by the Trust for achieving its objects and shall have clearly demarcated milestones.
20. **Annual Budget.**— (1) The Member Secretary of the Executive Committee shall, before the beginning of each financial year, cause preparation of an annual budget containing the details of the proposed income and expenditure on activities covered in the annual plan for that particular financial year, including the legal, administrative and other costs and expenditure proposed to be incurred by the Trust together with details of funding requirements in this regard, to be referred as the annual budget.
  - (2) Annual budget provision shall also be made in the Demands for Grants of Central Government under appropriate Head for incurring expenditure under fund and equivalent amount thereof shall be met from the fund.
  - (3) After due appropriation of fund and receipt of sanction of the Competent Authority, the expenditure under the fund shall be incurred from the relevant sub-major or minor heads and on the basis of the sanction issued by the Central Government, the Pay and Accounts Office of the Central Government shall make the payment as per the General Financial Rules, 2017.
21. **Approval of the Annual Plan and the Annual Budget.**— (1) The annual plan and the annual budget shall be laid before the Governing Body for its approval thirty days before the beginning of each financial year.
  - (2) Any modification in the annual plan or the annual budget subsequent to the approval of the Governing Body may be done with the approval of the Executive Committee and informed to the Governing Body in its next meeting.
22. **Annual report.**—(1) The Member Secretary of the Executive Committee shall, within ninety days of the end of each financial year, submit an annual report containing such information as deemed appropriate by the Executive Committee.
  - (2) The annual report shall be approved by the Executive Committee and shall contain details, *inter alia*, of the activities completed by the Trust during the financial year and the expenditure incurred by the Trust during such financial year.

- (3) A copy of the annual report shall be sent to the Central Government within a period of thirty days from the date of its approval by the Executive Committee.

**23. Financial Year.**—(1) The accounting or financial year of the Trust shall be from the 1<sup>st</sup> of April to the 31<sup>st</sup> of March.

- (2) The first year of operations of the Trust may be a partial year.

**24. Maintenance and Audit of Accounts.**— (1) The Pay and Accounts Office in the Central Government shall maintain a broadsheet of accretions to and payment from the fund and effect reconciliation on monthly basis thereof with the concerned divisions and shall ensure that there are no adverse balances in the fund at any point of time.

- (2) The account of the Trust shall be subject to the audit by the Comptroller and Auditor General of India and also to audit by internal audit wing of the office of the Chief Controller of Accounts, in the Central Government.

[F. No. M.VI-1/2/2024-Mines VI]

Dr.VEENA KUMARI DERMAL, Jt. Secy.



ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ  
(ಅಭೀಘಾ ಉಸ್ತಾನಿ)  
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ  
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ  
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು  
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-59

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ  
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 26 ಕೇನಿಪ್ರ 2024

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 17.09.2024.

ದಿನಾಂಕ: 14.08.2024 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-  
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Offshore Areas Mineral (Auction) Rules,  
2024ರ Notification-GSR 502 (E)ನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ  
ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

**MINISTRY OF MINES****NOTIFICATION**

New Delhi, the 14th August, 2024

**G.S.R. 502(E).**— In exercise of the powers conferred by section 35 of the Offshore Areas Mineral (Development and Regulation) Act, 2002 (17 of 2003), the Central Government hereby makes the following rules, namely: —

**CHAPTER I PRELIMINARY**

- 1. Short title and commencement.** — (1) These rules may be called the Offshore Areas Mineral (Auction) Rules, 2024.  
(2) They shall come into force on the date of their publication in the Official Gazette.
- 2. Definitions.** — (1) In these rules, unless the context otherwise requires, —
  - (a) “Act” means the Offshore Areas Mineral (Development and Regulation) Act, 2002 (17 of 2003);
  - (b) “Area” shall have the meaning as assigned to ‘offshore areas’ under clause (n) of section 4;
  - (c) “mineral block” means an area identified by the specific latitude and specific longitude comprising of contiguous standard blocks as specified in the tender document issued by the administering authority in accordance with the provisions of the Act;
  - (d) “Offshore Mineral Development and Production Agreement” means the agreement referred to in sub-rule (5) of rule 10 or sub-rule (8) of rule 18;
  - (e) “preferred bidder” means the bidder referred to in sub-rule (9) of rule 9;
  - (f) “qualified bidders” means the bidder referred to in sub-rule (8) of rule 9;
  - (g) “reserve price” means the minimum percentage of value of mineral dispatched as referred to in sub-rule (1) of rule 8;
  - (h) “Schedule” means a Schedule appended to these rules;
  - (i) “section” means a section of the Act;
  - (j) “security instrument” means the bank guarantee substantially in the form provided in Schedule II and Schedule III to these rules, security deposit or such other instrument as may be specified by the Central Government in the Ministry of Mines that is furnished as bid security or performance security in accordance with these rules.
  - (k) “successful bidder” means the bidder as referred to in sub-rule (4) of rule 10 or sub-rule (3) of rule 18;
  - (l) “technically qualified bidders” means the bidder as referred to in sub-rule (6) of rule 9;
  - (m) “tender document” means the tender document issued by the administering authority for conduct of an auction referred to in sub-rule (2) of rule 9;
  - (n) “upfront payment” means the payment referred to in sub-rule (1) of rule 11;
  - (o) “value of estimated resources” means an amount equal to the product of, —
    - (i) the estimated quantity of mineral resources for which the mineral block is being auctioned, expressed in metric tonne; and

- (ii) the average price per metric tonne of such mineral or mineral grade as published by the Indian Bureau of Mines for a period of twelve months immediately preceding the month of computation of the value of estimated resources:

Provided that if for any mineral or mineral grade, the average sale price for any month is not published by the Indian Bureau of Mines, the average sale price for the latest month published for such mineral or mineral grade shall be deemed to be the average sale price for the said month for which average sale price is not published:

Provided further that if for any mineral or mineral grade, the average sale price is not published for the entire period of the preceding twelve months, then average sale price for such mineral or mineral grade shall be as specified by Indian Bureau of Mines; and

- (p) “value of mineral dispatched” shall have the meaning specified in sub-rule (2) of rule 8.

(2) The words and expressions used in these rules but not defined herein shall have the same meaning as assigned to them in the Act or rules made thereunder.

**3. Application.** —These rules shall apply to all minerals, except, —

- (i) mineral oils and hydrocarbons described in sub-section (1) of section 3; and
- (ii) minerals specified in Part B of the First Schedule to the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957) having grade equal to or greater than the threshold value as notified by the Central Government from time to time.

**4. Grant of operating right.** — (1) Where existence of mineral resources in an area has been established as specified in the Offshore Areas (Existence of Mineral Resources) Rules, 2024, production lease shall be granted in the manner specified under Chapter II of these rules.

(2) A composite licence with respect to an area where requirements specified in rule 5 of the Offshore Areas (Existence of Mineral Resources) Rules, 2024 have been satisfied, shall be granted in the manner specified under Chapter III of these rules.

## CHAPTER II

### GRANT OF PRODUCTION LEASE

**5. Prerequisites for auction of Production Lease.** — (1) The administering authority may initiate an auction process for grant of a production lease in accordance with section 13 with respect to an area if the existence of mineral resources in such area has been established in terms of the provisions of the Offshore Areas (Existence of Mineral Resources) Rules, 2024.

(2) The administering authority shall, prior to issuance of the notice inviting tender with respect to mineral auction and with the prior approval of the Central Government, identify the mineral block for which a production lease is proposed to be granted through auction by specifying the latitude and longitude of the boundary corners of such mineral block.

**6. Eligibility for Production Lease.** — (1) For the purpose of participating in the auction of production lease, an applicant shall have to fulfill the requirements as specified in section 6 and the terms and conditions of eligibility as specified in Schedule I.

- (2) The successful bidder shall be decided solely on the basis of the financial bids submitted by the bidders, and meeting the eligibility conditions specified in Schedule I read with the terms and conditions of the tender documents.

- (3) A bidder shall submit only one bid in an auction of a mineral block and no affiliate of a bidder shall submit a bid in the same auction where such bidder has submitted bid.
- (4) In case a bidder submits more than one bid in an auction of a mineral block or an affiliate of a bidder submits bid in same auction where such bidder has submitted bid, the bids submitted by the bidder and its affiliate shall be rejected.

**Explanation.** — For the purpose of this rule, —

- (i) “affiliate” with respect to a bidder shall mean a person who, —
  - (a) controls such bidder;
  - (b) is controlled by such bidder;
  - (c) is under common control with such bidder;
  - (d) is an associate company of the bidder; or
  - (e) is a subsidiary company of such bidder.
- (ii) the expressions “associate company”, “control” and “subsidiary company” shall have the same meaning as assigned to them in the Companies Act, 2013 (18 of 2013).

**7. Electronic Auction.** — (1) An auction shall be conducted only through an online electronic auction platform.

- (2) The administering authority may utilise any online electronic auction platform which meets the minimum technical and security requirements as specified in the Guidelines for compliance to Quality requirements of e-Procurement Systems issued by the Standardisation Testing and Quality Certification Directorate, Department of Information Technology, Ministry of Communications and Information Technology, Government of India.

**8. Bidding parameters.** — (1) The administering authority shall specify in the tender document the minimum percentage of the value of mineral dispatched, which shall be known as the “reserve price”.

- (2) The value of mineral dispatched shall be an amount equal to the product of, —
  - (a) mineral dispatched in a month; and
  - (b) sale price of the mineral (grade-wise) as published by the Indian Bureau of Mines for such month of dispatch.
- (3) The bidders shall quote, as per the bidding parameter, for the purpose of payment to the Central Government, a percentage of value of mineral dispatched equal to or above the reserve price and the successful bidder shall pay to the Central Government, an amount equal to the product of, —
  - (a) percentage so quoted; and
  - (b) value of mineral dispatched.
- (4) Where an area is being auctioned for more than one mineral, the percentage of value of mineral dispatched as quoted by the successful bidder under sub-rule (3), shall be applicable for the purpose of payment to the Central Government in respect of each such mineral.
- (5) If subsequent to grant of a production lease, one or more new minerals are discovered, the percentage of value of mineral dispatched as quoted by the successful bidder under sub-rule (3) shall be applicable for the purpose of payment to the Central Government in respect of each such mineral:

Provided that if such subsequently discovered minerals are minerals specified in Part D of the

First Schedule or the Seventh Schedule to the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), ten per cent. of the percentage of value of mineral dispatched as quoted by the successful bidder under sub-rule (3) shall be applicable for the purpose of payment to the Central Government in respect of each such mineral.

**9. Bidding Process.** — (1) Subject to the provisions of rule 5, the administering authority shall issue a notice inviting tender, including on their website, to commence the auction process and such notice shall contain brief particulars regarding the mineral block under auction, including, —

- (a) particulars of the mineral block for which a production lease is proposed to be granted through auction by specifying the latitude and longitude of the boundary corners of such mineral block;
- (b) estimated mineral resources and brief particulars regarding existence of mineral resources with respect to all minerals discovered in the mineral block during exploration in accordance with the provisions of the Offshore Areas (Existence of Mineral Resources) Rules, 2024.

(2) The tender document issued by the administering authority shall contain, —

- (a) geological report pursuant to the Offshore Areas (Existence of Mineral Resources) Rules, 2024 specifying particulars and estimated quantities of all minerals discovered in the mineral block;
- (b) particulars of the mineral block identified by specifying the latitude and longitude of the boundary corners of such mineral block; and
- (c) particulars of any licence or lease granted by any government authority, including in relation to petroleum and natural gas or wind power project, or any infrastructure projects such as port, cable, pipeline in existence in the mineral block at the time of auction.

(3) The bidders shall be provided a fixed period, as specified in the tender document, to study the tender document and such reports and the bidding process shall commence only on expiry of such period.

(4) The auction shall be an ascending forward online electronic auction and shall comprise of attempts of auction with each attempt of auction consisting of a first round of auction and a second round of auction.

(5) In the first round of auction, the bidders shall submit, —

- (a) a technical bid comprising amongst others, documentary evidence to confirm eligibility as per the provisions of the Act and the rules made thereunder to participate in the auction, bid security and such other documents and payments as may be specified in the tender document; and
- (b) an initial price offer which shall be a percentage of value of mineral dispatched:

Provided that bid security shall be for an amount equivalent to 0.25 per cent. of the value of estimated resources or ten crore rupees, whichever is lower, and shall be submitted by way of a security instrument:

Provided further that in auction for grant of composite licence for the mineral block having such type of deposit whose estimated quantity of mineral resources is not possible to be assessed for calculating the value of estimated resources under clause (o) of sub-rule (1) of rule 2, but the mineral potentiality of the mineral block has been identified based on the existing geoscience data, the bid security shall be five lakh rupees per standard block:

Provided also that in case the area proposed by a person under sub-rule (2) of rule 5 of

the Offshore Areas (Existence of Mineral Resources) Rules, 2024 is put up for auction to grant a composite licence, such person shall be required to submit the bid security of only fifty per cent. of the amount specified in this clause for participating in the auction for the said area.

- (6) Only those bidders who are found to be eligible in accordance with the terms and conditions of eligibility specified in rule 6 and whose initial price offer is equal to or greater than the reserve price, referred to as “technically qualified bidders”, shall be considered for the second round of auction.
- (7) The highest initial price offer amongst the technically qualified bidders shall be the floor price for the second round of online electronic auction.
- (8) The technically qualified bidders shall be ranked on the basis of the descending initial price offer submitted by them and the technically qualified bidders holding the first fifty per cent. of the ranks (with any fraction rounded off to higher integer) or the top five technically qualified bidders, whichever is higher, shall qualify as qualified bidders for participating in the second round of electronic auction:

Provided that if the number of technically qualified bidders is between three and five, then all the technically qualified bidders shall be considered as qualified bidders:

Provided further that in the event of identical initial price offers being submitted by two or more technically qualified bidders, all such technically qualified bidders shall be assigned the same rank for the purposes of determination of qualified bidders and in such case, the aforementioned fifty per cent. shall stand enhanced to the extent of tie occurring within the first fifty per cent.

#### *Illustration*

In the event there are a total of ten technically qualified bidders, and each technically qualified bidder submits different initial price offer, then the technically qualified bidders holding the first fifty per cent. of ranks shall be considered to be qualified bidders.

If three such technically qualified bidders submit the same initial price offer and are ranked in first fifty per cent. of the total number of ranks, then, all the three technically qualified bidders shall be considered to be qualified bidders and the total number of qualified bidders shall stand increased by two.

- (9) Where the total number of technically qualified bidders is three or more, the auction process shall proceed to the second round of auction which shall be held in the following manner, namely: —
  - (a) The qualified bidders may submit their final price offer which shall be a percentage of value of mineral dispatched and greater than the floor price:
 

Provided that the final price offer may be revised till the conclusion of the auction as per the technical specifications of the auction platform;
  - (b) The auction process shall be annulled if none of the qualified bidders submits a final price offer on the online electronic auction platform;
  - (c) The qualified bidder who submits the highest final price offer shall, subject to receipt of approval from the Central Government, be declared as the “preferred bidder”, immediately on conclusion of the auction.
- (10) Where the total number of technically qualified bidders is less than three, then no technically qualified bidder shall be considered to be qualified bidder and the first attempt of auction shall be annulled.
- (11) On annulment of the first attempt of auction, the administering authority may decide to, —
  - (a) commence the auction process de novo with a separate set of terms and conditions and reserve price as it may deem fit and necessary; or

(b) conduct the second attempt of auction.

- (12) In case the administering authority decides to conduct the second attempt of auction as per clause (b) of sub-rule (11), the terms and conditions of the second attempt of auction shall remain the same as in the first annulled attempt of auction:

Provided that the highest initial price offer of the technically qualified bidders (if any) in the first annulled attempt shall be the reserve price in first round of the second attempt:

Provided further that the bidding shall continue to the second round even in case the number of technically qualified bidders is less than three and even in case of a single technically qualified bidder.

- (13) Upon the annulment or failure of the second attempt of auction, the administering authority may, after obtaining the approval of the Central Government, commence the auction process de novo with a separate set of terms and conditions and reserve price as it may deem fit necessary.

**10. Grant of Production Lease. — (1)** The preferred bidder shall submit the first instalment of the upfront payment as per rule 11 within fifteen days after being declared as preferred bidder:

Provided that the administering authority may, for reasons to be recorded in writing extend the period of fifteen days by further fifteen days.

- (2) In case the preferred bidder fails to submit the first instalment of the upfront amount within the period or extended period specified in sub-rule (1), the administering authority shall, —

- (a) forfeit the bid security of the preferred bidder; and
- (b) offer the bidder who had submitted the second-highest price offer in the second round of auction to meet the highest final price offer and if the said bidder agrees to the said offer in writing and submit the first instalment of upfront amount within fifteen days of receipt of offer, the administering authority shall, subject to receipt of approval from the Central Government, declare the said bidder as the preferred bidder and issue a letter of intent in accordance with sub-rule (3):

Provided that the administering authority may, for the reasons to be recorded in writing, extend the period of fifteen days referred to in this clause by further fifteen days.

- (3) Upon receipt of the first instalment of the upfront payment, the administering authority shall issue a letter of intent to the preferred bidder within fifteen days of receipt of first instalment of upfront payment.
- (4) The preferred bidder shall be considered to be the “successful bidder” upon, —
  - (a) continuing to be in compliance with all the terms and conditions of eligibility;
  - (b) payment of the second instalment of the upfront payment;
  - (c) furnishing performance security as specified in rule 12;
  - (d) satisfying the conditions specified in the rules framed under the Act with respect to a production plan; and
  - (e) satisfying such other conditions as may be specified by the administering authority with prior approval of the Central Government.
- (5) The successful bidder shall sign the Offshore Mineral Development and Production Agreement with the Central Government upon obtaining all consents, approvals, permits, no-objections and the like as may be required under applicable laws for commencement of production operations.

- (6) The successful bidder shall pay the third instalment of the upfront payment subsequent to execution of the Offshore Mineral Development and Production Agreement, and upon such payment the Central Government shall grant a production lease to the successful bidder.
- (7) The production lease deed shall be executed by the Central Government within a period of thirty days of the date of completion of the conditions specified in sub-rule (6) and shall be subject to the provisions of the Act and the rules made thereunder:

Provided that no production lease deed shall be executed on expiry of a period of three years from the date of the letter of intent, and the letter of intent shall be invalidated leading to annulment of the entire process of auction:

Provided further that the administering authority with approval of the Central Government may allow a further period of two years for execution of the production lease deed if the reasons for delay were beyond the control of the preferred bidder.

- (8) The holder of the letter of intent shall comply with all the requirements to execute the production lease deed within the period referred to in sub-rule (7), failing which, the letter of intent shall be revoked and the bid security or the performance security, as the case may be, and any instalment of upfront payment paid shall be forfeited, and the preferred bidder or successful bidder may be debarred by the Central Government from participating in the future auction of mineral blocks conducted under the provisions of these rules, for three years from the date of such debarment.
- (9) The production lease shall be for minerals found in the mineral block pursuant to exploration prior to the auction:

Provided that where, subsequent to the auction, one or more new minerals are discovered, then the holder of production lease shall follow the provisions of the rules framed under the Act for inclusion of such new mineral in the production lease deed.

- (10) The date on which a duly executed production lease deed is registered shall be the date of commencement of the production lease.

**11. Upfront payment for production lease. — (1)** An amount equal to, lower of: (i) 0.25 per cent. of the value of estimated resources;

(ii) fifty crore rupees, shall be the upfront payment.

- (2) The upfront payment shall be payable to the Central Government in three instalments of ten per cent.; ten per cent.; and eighty per cent. as specified in the tender document and shall be adjusted in full at the earliest against the amount to be paid under sub-rule (3) of rule 8 on commencement of production of mineral as specified in the tender document.

**12. Performance security for production lease. — (1)** The preferred bidder shall provide a performance security by way of a security instrument of an amount being lower of: (i) 0.50 per cent. of the value of estimated resources; (ii) one hundred crore rupees. Such performance security shall be adjusted every five years so that it continues to correspond to the required amount (i.e., 0.50 per cent. of the reassessed value of estimated resources or one hundred crore rupees as the case may be) including the value of any newly discovered mineral that may be included in the production lease deed on its discovery:

Provided that the adjusted performance security on reassessment shall, at all times, be not less than one crore rupees per standard block.

- (2) The performance security may be invoked as per the provisions of, —

- (i) the Offshore Mineral Development and Production Agreement; and
- (ii) the Production Lease Deed.



- 13. Payments under production lease.** — (1) The lessee shall pay royalties in accordance with section 16 and fixed rent in accordance with section 17 to the Central Government as specified in the Act and the rules made thereunder.
- (2) The lessee shall pay the applicable amount quoted under rule 8 to the Central Government on a monthly basis.
- (3) The lessee shall contribute such amounts as may be required under the Act to, —
- (a) the designated account of the Offshore Areas Mineral Trust; and
  - (b) the designated account of the Central Government for the contribution towards the International Seabed Authority in accordance with section 18.
- (4) The lessee shall also pay such other amounts as may be required under any law for the time being in force to the concerned authorities.
- 14. Payment of Interest.** — The lessee or preferred bidder or successful bidder, as the case may be, shall pay simple interest at the rate of twelve per cent. per annum on any payment due to Central Government under these rules, the payment of which is delayed beyond the due date thereof.
- 15. Time Period.** — The time period for compliance of rules 10 to 14 shall be as specified in the tender document.

### CHAPTER III

#### GRANT OF COMPOSITE LICENCE

- 16. Prerequisites for auction of composite licence.** — (1) The administering authority may initiate an auction process for grant of a composite licence with respect to an area in accordance with section 12 and this Chapter subject to the condition that the requirements of rule 5 of the Offshore Areas (Existence of Mineral Resources) Rules, 2024 have been complied with.
- (2) The administering authority shall, prior to issuance of the notice inviting tender with respect to auction and with the prior approval of the Central Government, identify the mineral block for which a composite licence is proposed to be granted through auction by specifying the latitude and longitude of the boundary corners of such mineral block.
- 17. Auction for composite licence.** — The eligibility conditions and auction process as specified in rules 6 to 9 shall be applicable for conduct of auction for grant of a composite licence subject to the following, namely: —
- (a) the administering authority shall subject to compliance of rule 16, issue a notice inviting tender, including on their website, to commence the auction process and such notice shall contain brief particulars regarding the area under auction, including, —
    - (i) particulars of the mineral block for which a composite licence is proposed to be granted through auction by specifying the latitude and longitude of the boundary corners of such mineral block;
    - (ii) estimated mineral resources and brief particulars regarding the existence of mineral resources in the mineral block during exploration in accordance with the Offshore Areas (Existence of Mineral Resources) Rules, 2024;
  - (b) the tender document issued by the administering authority, shall contain, geological report specifying,

- (i) particulars and estimated quantities of all minerals discovered in the area during exploration pursuant to Offshore Areas (Existence of Mineral Resources) Rules, 2024;
- (ii) details of the area identified; and
- (iii) particulars of any licence or lease granted by any government authority, including in relation to petroleum and natural gas or wind power project, or any infrastructure projects such as port, cable, pipeline in existence in the mineral block at the time of auction.

**18. Grant of composite licence. — (1)** Upon completion of the auction process, the preferred bidder shall submit a performance security in the manner specified in sub-rule (1) of rule 19 within fifteen days after being declared as preferred bidder and upon receipt of such performance security, the administering authority shall issue a letter of intent to the preferred bidder within fifteen days of receipt of performance security:

Provided that the administering authority may, for the reasons to be recorded in writing, extend the period of fifteen days for submission of performance security by further fifteen days.

(2) In case the preferred bidder fails to submit the performance security within the period or extended period specified in sub-rule (1), the administering authority shall, —

- (a) forfeit the bid security of the preferred bidder; and
- (b) offer the bidder who had submitted second-highest price offer in the second round of auction to meet the highest final price offer and if the said bidder agrees to the said offer in writing and submits the performance security within fifteen days of receipt of offer, the administering authority shall, subject to receipt of approval from the Central Government, declare the said bidder as the preferred bidder and issue letter of intent in accordance with sub-rule (1):

Provided that the administering authority may, for the reasons to be recorded in writing, extend the period of fifteen days by further fifteen days.

(3) On receipt of the letter of intent, the preferred bidder shall be considered to be the “successful bidder” upon fulfilment of the following conditions, namely: —

- (a) compliance with all the terms and conditions of eligibility;
- (b) obtaining all consents, approvals, permits, no-objections and the like as may be required under applicable laws for commencement of exploration operations; and
- (c) submitting the exploration plan.

(4) Upon fulfilment of the conditions specified in sub-rule (3), the Central Government shall grant a composite licence to the successful bidder and such composite licence shall be subject to the provisions of the Act and the rules made thereunder, as applicable to the composite licence and production lease:

Provided that on expiry of a period of one year from the date of the letter of intent, if no Exploration Licence Deed of Composite Licence is executed then the letter of intent shall be invalidated leading to annulment of the entire process of auction:

Provided further that the administering authority may allow a further period of six months for execution of the Exploration Licence Deed of Composite Licence, if the reasons for delay were beyond the control of the preferred bidder.

(5) The holder of a composite licence shall conduct exploration operations of the area under the composite licence so as to ascertain existence of mineral resources and shall submit periodic reports in accordance with the Act and the rules made thereunder, as applicable to exploration operations and all reports,

studies and other documentation related to the exploration operations of the area under the composite licence shall be submitted to the Indian Bureau of Mines and administering authority.

(6) If a holder of a composite licence, —

- (a) fails to complete exploration operations in accordance with sub-section (3) of section 12 or fails to establish the existence of mineral resources in accordance with the Offshore Areas (Existence of Mineral Resources) Rules, 2024, or fails to comply with the terms and conditions of the composite licence or the requirements of the Act and the rules prescribed thereunder such holder shall not be eligible to receive a production lease and the composite licence shall be terminated;
- (b) completes exploration operations and submits to the Indian Bureau of Mines and the administering authority the result of the exploration operations in the form of a geological report resulting in determination of existence of mineral resources conforming to the Offshore Areas (Existence of Mineral Resources) Rules, 2024; specifying the area required for grant of a production lease and makes an application to the administering authority in terms of the rules framed under the Act for grant of a production lease accompanied by first instalment of the upfront payment as specified in rule 11;

(7) Upon receipt of the application submitted under and on being satisfied with the existence of mineral resources in accordance with the Offshore Areas (Existence of Mineral Resources) Rules, 2024 and the licensee being in compliance with the terms of the composite licence and the Act including the terms of sub-section (6) of section 12, the administering authority shall make a recommendation to the Central Government for grant of a production lease to the licensee and upon receipt of approval of the Central Government, the administering authority shall issue a letter of intent for production lease:

Provided that any excess area shall be surrendered by the holder of composite licence in accordance with the provisions of the Act and the rules made thereunder:

Provided further that after submission of the geological report prepared in accordance with the Offshore Areas (Existence of Mineral Resources) Rules, 2024, the holder of composite licence may relinquish the entire area in accordance with the rules framed under the Act and in such case the administering authority shall, after being satisfied that the geological report has been prepared conforming to the Offshore Areas (Existence of Mineral Resources) Rules, 2024, return the performance security.

(8) The Offshore Mineral Development and Production Agreement shall be executed between the Central Government and the holder of composite licence if the holder of a composite licence—

- (a) continues to comply with the terms and conditions of eligibility;
- (b) pays the second instalment being ten per cent. of the upfront payment;
- (c) furnishes the enhanced performance security as specified in sub-rule (2) of rule 19;
- (d) satisfies the conditions specified in the rules framed under the Act with respect to a production plan;
- (e) obtains all consents, approvals, permits, no-objections and the like as may be required under applicable laws for commencement of production operations; and
- (f) satisfies such other conditions as may be specified by the administering authority.

(9) The holder of the composite licence shall pay the third instalment being eighty per cent. of the upfront payment, subsequent to execution of the Offshore Mineral Development and Production Agreement,

and upon such payment, the Central Government shall execute a Production Lease Deed with the holder of the composite licence within a period of thirty days of payment of the third instalment:

Provided that no production lease deed shall be executed on expiry of a period of three years from the date of the letter of intent (granted under sub-rule (7) of rule 18 above), and the letter of intent shall be invalidated:

Provided further that the administering authority with approval of the Central Government may allow a further period of two years for execution of the production lease deed if the reasons for delay were beyond the control of the licensee.

- (10) The production lease shall be subject to the provisions of the Act and the rules made thereunder.
- (11) The production lease shall be for minerals found in the area covered by the composite license pursuant to exploration prior to the auction:

Provided that where subsequent to the auction, one or more new minerals are discovered then the holder of the production lease shall follow the provisions of the rules framed under the Act for inclusion of such new mineral in the production lease deed.

- (12) The date on which a duly executed production lease deed is registered shall be the date of commencement of the production lease.

**19. Performance Security for composite licence. — (1)** An amount being lower of: (i) 0.25 per cent. of the value of estimated resources; (ii) fifty crore rupees, shall be payable or provided by the preferred bidder or licensee, as the case may be, as performance security prior to the issuance of the composite licence:

Provided that for the mineral block having such type of deposit as specified whose estimated quantity of mineral resources is not possible to be assessed for calculating the value of estimated resources under clause (o) of sub-rule (1) of rule 2, but the mineral potentiality of the block has been identified based on the existing geoscience data, the performance security shall be one crore and fifty lakh rupees.

- (2) The amount of performance security shall be revised, prior to the issuance of the production lease, to an amount being lower of: (i) 0.50 per cent. of the value of estimated resources established by the holder of the composite licence after completion of exploration operations in accordance with the provision of sub-section (3) and (5) of section 12 resulting in determination of existence of mineral resources conforming to the Offshore Areas (Existence of Mineral Resources) Rules, 2024 (ii) one hundred crore rupees.
- (3) The performance security specified under sub-rule (2) shall be adjusted in every five years so that it continues to correspond to amount being lower of: (i) 0.50 per cent. of the reassessed value of estimated resources; (ii) one hundred crore rupees, as the case may be:

Provided that the adjusted performance security shall not be less than one crore rupees per standard block.

- (4) The performance security provided by way of security instrument may be invoked as per the provisions of the, —
  - (i) Exploration Licence Deed of Composite Licence; or
  - (ii) Offshore Mineral Development and Production Agreement; or
  - (iii) the Production Lease Deed:

Provided that the administering authority on being satisfied that the holder of composite licence has completed exploration operations in accordance with sub-section (3) and (5) of section 12 but is unable to establish the existence of mineral resources even after making all possible efforts in accordance with the Offshore Areas (Existence of Mineral Resources) Rules, 2024, shall return the performance security provided by the holder of the composite licence:

Provided further that in case the holder of composite licence fails to complete exploration

operations in accordance with sub-section (3) and (5) of section 12, the performance security provided by it shall be forfeited.

#### CHAPTER IV MISCELLANEOUS

20. **Power to rectify apparent errors.** — Any clerical or arithmetical error in any order passed by the Central Government or any authority or officer under these rules and any error arising therein due to accidental slip or omission, may be corrected by the Central Government, the concerned authority or officer, as the case may be:

Provided that no rectification order prejudicial to any person shall be passed unless such person has been given a reasonable opportunity of being heard.

21. **Special provisions relating to minerals specified in Part B of the First Schedule to the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957).** — (1) Notwithstanding anything contained in these rules—

- (a) if the holder of a composite licence or production lease discovers any mineral specified in Part B of the First Schedule to the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957) of a grade equal to or greater than such threshold value as the Central Government may, by notification in the Official Gazette, specify in the area granted under such licence or lease, the discovery of such mineral shall be reported to the Director, Atomic Minerals Directorate for Exploration and Research, Hyderabad within sixty days from the date of discovery of such mineral;
  - (b) the licensee or lessee shall not win or dispose of any mineral specified in Part B of the First Schedule to the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957) of a grade equal to or greater than such threshold value as the Central Government may, by notification in the Official Gazette, specify;
  - (c) the quantities of any mineral specified in Part B of the First Schedule to the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957) of a grade equal to or greater than such threshold value as the Central Government may, by notification in the Official Gazette, specify, recovered incidental to such exploration or production operations shall be collected and stacked separately and a report to that effect shall be sent to the Director, Atomic Minerals Directorate for Exploration and Research, Hyderabad every month for such further action by the licensee or lessee as may be directed by the Atomic Minerals Directorate for Exploration and Research.
- (2) The licensee or lessee referred to in sub-rule (1) shall, within a period of sixty days from the date of discovery of any mineral specified in Part B of the First Schedule to the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957) of a grade equal to or greater than such threshold value as the Central Government may, by notification in the Official Gazette, specify, apply to the Secretary, Department of Atomic Energy, Mumbai, through the administering authority, for grant of a licence to handle such minerals under the provisions of the Atomic Energy Act, 1962 (33 of 1962) and the rules made thereunder and the Department of Atomic Energy shall intimate to the administering authority regarding issue of the licence in this regard.

22. **Exploration Obligation.** — The holder of a production lease shall complete detailed exploration (G1 level exploration) and prepare a detailed feasibility study report conforming to Part IV and V of the Offshore Areas (Existence of Mineral Resources) Rules, 2024 over the entire area under the production lease, within a period of five years from the date of commencement of such production lease.

- 23. When day of completion of any requirement is a public holiday.** — When the day of completion of any requirement under these rules is falling due on a public holiday, the day of completion shall be deemed to be due on the next successive working day.

**Explanation.** — The expression “public holiday” includes Saturday, Sunday and any other day declared to be a public holiday by the Central Government.

## SCHEDULE I

### Terms and conditions of eligibility

[See rule 6]

1. The following net worth requirements shall be applicable for an auction of production lease depending on the value of estimated resources, namely: —
  - (a) If the value of estimated resources is equal to or more than one thousand crore rupees, the applicant, including an individual, shall have a net worth more than 2 per cent. of value of estimated resources.
  - (b) If the value of estimated resources is less than one thousand crore rupees but more than one hundred crore rupees, the applicant, including an individual, shall have a net worth more than 1 per cent. of value of estimated resources.
  - (c) If the value of estimated resources is less than or equal to one hundred crore rupees, the applicant, including an individual, shall have a net worth more than 0.5 per cent. of value of estimated resources:

Provided that the net worth requirement shall not exceed one hundred crore rupees.

2. In case of auction of composite licence, the applicant shall have a net worth of more than 1 per cent. of the value of estimated resources and where the value of estimated resources is equal or less than one hundred crore rupees, the applicant must have a net worth more than 0.5 per cent. of value of estimated resources:

Provided that the net worth requirement shall not exceed fifty crore rupees:

Provided that for the mineral block having such minerals, whose estimated quantity of mineral resources is not possible to be assessed for calculating the value of estimated resources under clause (o) of sub-rule (1) of rule 2, but the mineral potentiality of the block has been identified based on the existing geoscience data, the applicant shall have a net worth more than or equal to twenty-five crore rupees.

**Explanation.** —

- (1) In case an applicant is a subsidiary of another company incorporated in India, the network of such holding company may also be considered:

Provided that, in such case, the applicant shall continue to be a subsidiary of such holding company until such time the applicant meets the aforementioned network threshold.

- (2) In case of a company, the net worth shall be the sum of paid up share capital and the free reserves as per the audited balance sheet of the financial year ended immediately preceding the date of issuance of notice inviting tender.
- (3) In case the notice inviting tender is issued between 1st April to 30th September (both days inclusive) of a year, the audited balance sheet of the financial year before the immediately preceding financial year, from the date of issuance of notice inviting tender, may be submitted by

the bidder, if the audited balance sheet of the immediately preceding financial year is not available.

- (4) In case of an individual, the net worth shall be the closing cash balance on the last date for submission of application, and such amount may include amount in savings bank accounts in Scheduled Bank or Post Office, free and un-encumbered fixed deposits in Scheduled Banks, Post Office, Listed Companies or Government organisation or Public Sector Undertakings of a State and the Central Government, Kisan Vikas Patra, National Saving certificate, Bonds and Shares of Listed Companies, Listed Mutual Funds, Unit Linked Insurance Plan, Public Provident Fund, Surrender Value of Life Insurance policies, and un-encumbered immovable property in the name of Applicant.

## SCHEDULE II

### Format of Performance Security for Production Lease

[See rule 12]

[Reference number of the bank]

[date]

To

**The President of India**

[address]

### WHEREAS

- A. [Name of the Preferred Bidder] incorporated in India under the Companies Act, [2013] with corporate identity number [CIN of the Preferred Bidder], whose registered office is at [address of registered office], India and principal place of business is at [address of principal place of business, if different from registered office] OR [Name of individual] who is citizen of India, having income tax permanent account number [number], residing at [address] OR [partnership firm/association of individuals], all members of whom are Indian citizens and residents of India whose principal place of business is at [address of principal place of business] (the “Preferred Bidder”) is required to provide an unconditional and irrevocable bank guarantee for an amount equal to INR [figures] (Indian Rupees [words]) as a performance security valid until [date of expiry of performance bank guarantee] (“Expiry Date”).

Provided that any reference to the Preferred Bidder shall mean the Successful Bidder upon fulfilment of the conditions of sub-rule (4) of rule 10 of the Offshore Areas Mineral (Auction) Rules, 2024.

- B. The Performance Security is required to be provided to the President of India represented by the Ministry of Mines, Government of India (“Central Government”) for discharge of certain obligations under the tender document dated [date] with respect to auction of [particulars of auction], Offshore Mineral Development and Production Agreement to be executed between the Central Government and the Preferred Bidder and the Production Lease Deed to be executed between the Central Government and the Preferred Bidder (collectively the “Agreement”).
- C. We, [name of the bank] (the “Bank”) at the request of the Preferred Bidder do hereby undertake to pay to the Central Government an amount not exceeding INR [figures] (Indian Rupees [words]) (“Guarantee Amount”) to secure the obligations of the Successful Bidder under the Agreement on demand from the Central Government on the terms and conditions herein contained herein.

**NOW THEREFORE, the Bank hereby issues in favour of the Central Government this irrevocable and unconditional payment bank guarantee (the “Guarantee”) on behalf of the Successful Bidder in the Guarantee Amount:**

1. The Bank for the purpose hereof unconditionally and irrevocably undertakes to pay to the Central Government without any demur, reservation, caveat, protest or recourse, immediately on receipt of first written demand from the Central Government, a sum or sums (by way of one or more claims) not

exceeding the Guarantee Amount in the aggregate without the Central Government needing to prove or to show to the Bank grounds or reasons for such demand for the sum specified therein and notwithstanding any dispute or difference between the Central Government and Successful Bidder on any matter whatsoever. The Bank undertakes to pay to the Central Government any money so demanded notwithstanding any dispute or disputes raised by the Successful Bidder in any suit or proceeding pending before any court or tribunal relating thereto the Bank's liability under this present being absolute and unequivocal.

2. The Bank acknowledges that any such demand by the Central Government of the amounts payable by the Bank to the Central Government shall be final, binding and conclusive evidence in respect of the amounts payable by Successful Bidder to the Central Government under the Agreement.
3. The Bank hereby waives the necessity for the Central Government from demanding the aforesaid amount or any part thereof from the Successful Bidder and also waives any right that the Bank may have of first requiring the Central Government to pursue its legal remedies against the Successful Bidder, before presenting any written demand to the Bank for payment under this Guarantee.
4. The Bank further unconditionally agrees with the Central Government that the Central Government shall be at liberty, without the Bank's consent and without affecting in any manner the Bank's obligation under this Guarantee, from time to time to:
  - (i) Vary and/or modify any of the terms and conditions of the Agreement;
  - (ii) extend and / or postpone the time for performance of the obligations of the Successful Bidder under the Agreement, or
  - (iii) forbear or enforce any of the rights exercisable by the Central Government against the Successful Bidder under the terms and conditions of the Agreement.

And the Bank shall not be relieved from its liability by reason of any such act or omission on the part of the Central Government or any indulgence by the Central Government to the Successful Bidder or other thing whatsoever which under the law relating to sureties would, but for this provision, have the effect of relieving the Bank of its obligations under this Guarantee.

5. Any payment made hereunder shall be made free and clear of and without deduction for, or on account of, any present or future taxes, levies, imposts, duties, charges, fees, commissions, deductions or withholdings of any nature whatsoever.
6. The Bank agrees that Central Government at its option shall be entitled to enforce this Guarantee against the Bank, as a principal debtor in the first instance without proceeding at the first instance against the Successful Bidder.
7. The Bank further agrees that the guarantee herein contained shall remain in full force and effect during the period that is specified in the Agreement and that it shall continue to be enforceable till all the obligations of the Successful Bidder under or by virtue of the said Agreement with respect to the Performance Security have been fully paid and its claims satisfied or discharged to the satisfaction of the Central Government or till the Central Government certifies that the terms and conditions of the Agreement with respect to the Performance Security have been fully and properly carried out by the Successful Bidder and accordingly discharges this guarantee. Notwithstanding anything contained herein, unless a demand or claim under this guarantee is made on the Bank in writing on or before the Expiry Date the Bank shall be discharged from all liability under this guarantee thereafter.
8. The payment so made by the Bank under this Guarantee shall be a valid discharge of Bank's liability for payment thereunder and no person shall have any claim against the Bank for making such payment.
9. This Guarantee is subject to the laws of India. Any suit, action, or other proceedings arising out of this Guarantee or the subject matter hereof shall be subject to the exclusive jurisdiction of courts at New Delhi, India.



10. The Bank represents that it has the authority and power to issue this Guarantee in favour of the Central Government. This guarantee will not be discharged due to the change in the constitution of the Bank
11. The Bank undertakes not to revoke this Guarantee during its currency except with the previous consent of the Central Government in writing.
12. The Central Government may, with prior intimation to the Bank, assign the right under this Guarantee to any other departments, ministries or any governmental agencies, which may act in the name of the President. Save as provided in this Clause 12, this Guarantee shall not be assignable or transferable.
13. Notwithstanding anything contained herein,
  - a. the liability of the bank under this bank guarantee shall not exceed the Guarantee Amount.
  - b. this bank guarantee shall be valid upto the Expiry Date.
14. The Bank is liable to pay the guaranteed amount or any part thereof under this bank guarantee only and only if the Central Government serves upon the Bank a written claim or demand on or before the Expiry Date.

Dated the [day] day of [month] [year] for the Bank.

In witness whereof the Bank, through its authorised officer, has set its hand and stamp.

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(Signature)

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(Name and Designation) (Bank Stamp)

**SCHEDULE III****Format of Performance Security for Composite Licence**

[See rule 19]

[Reference number of the bank]

[date]

To

The President of India

[address]

**WHEREAS**

- A. [Name of the Preferred Bidder] incorporated in India under the Companies Act, [2013] with corporate identity number [CIN of the Preferred Bidder], whose registered office is at [address of registered office], India and principal place of business is at [address of principal place of business, if different from registered office] OR [Name of individual] who is citizen of India, having income tax permanent account number [number], residing at [address] OR [partnership firm/association of individuals], all members of whom are Indian citizens and residents of India whose principal place of business is at [address of principal place of business] (the “Preferred Bidder”) is required to provide an unconditional and irrevocable bank guarantee for an amount equal to INR [figures] (Indian Rupees [words]) as a performance security valid for an initial period of [●]([●]) years from the date hereof ( “Expiry Date” ).

Provided that any reference to the Preferred Bidder shall mean the Successful Bidder upon fulfilment of the conditions of sub-rule (3) of rule 18 of the Offshore Areas Mineral (Auction) Rules, 2024.

- B. The Performance Security is required to be provided to the President of India, represented by the Ministry of Mines, Government of India (“Central Government”) for discharge of certain obligations under the Tender Document dated [date] with respect to auction of [particulars of auction] and Exploration Licence Deed of Composite Licence to be executed between the Central Government and the Preferred Bidder and Offshore Mineral Development and Production Agreement to be executed between the Central Government and the Preferred Bidder and the Production Lease Deed to be executed between the Central Government and the Preferred Bidder (collectively the “Agreement”).
- C. We, [name of the bank] (the “Bank”) at the request of the Preferred Bidder or Successful Bidder do hereby undertake to pay to the Central Government an amount not exceeding INR [figures] (Indian Rupees [words]) (“Guarantee Amount”) to secure the obligations of the Preferred Bidder or Successful Bidder under the Agreement on demand from the Central Government on the terms and conditions herein contained herein.

NOW, THEREFORE, the Bank hereby issues in favour of the Central Government this irrevocable and unconditional payment bank guarantee (the “Guarantee”) on behalf of the Preferred Bidder in the Guarantee Amount:

1. The Bank for the purpose hereof unconditionally and irrevocably undertakes to pay to the Central Government without any demur, reservation, caveat, protest or recourse, immediately on receipt of first written demand from the State, a sum or sums (by way of one or more claims) not exceeding the Guarantee Amount in the aggregate without

the Central Government needing to prove or to show to the Bank grounds or reasons for such demand for the sum specified therein and notwithstanding any dispute or difference between the Central Government and Preferred Bidder on any matter whatsoever. The Bank undertakes to pay to the Central Government any money so demanded notwithstanding any dispute or disputes raised by the or Preferred Bidder in any suit or proceeding pending before any court or tribunal relating thereto the Bank's liability under this present being absolute and unequivocal.

2. The Bank acknowledges that any such demand by the Central Government of the amounts payable by the Bank to the Central Government shall be final, binding and conclusive evidence in respect of the amounts payable by Preferred Bidder to the Central Government under the Agreement.
3. The Bank hereby waives the necessity for the Central Government from demanding the aforesaid amount or any part thereof from the Preferred Bidder and also waives any right that the Bank may have of first requiring the Central Government to pursue its legal remedies against the Preferred Bidder, before presenting any written demand to the Bank for payment under this Guarantee.
4. The Bank further unconditionally agrees with the Central Government that the Central Government shall be at liberty, without the Bank's consent and without affecting in any manner the Bank's obligation under this Guarantee, from time to time to:
  - i) vary and/or modify and of the terms and conditions of the Agreement;
  - ii) extend and / or postpone the time for performance of the obligations of the Preferred Bidder under the Agreement, or
  - iii) forbear or enforce any of the rights exercisable by the Central Government against the Preferred Bidder under the terms and conditions of the Agreement,

and the Bank shall not be relieved from its liability by reason of any such act or omission on the part of the Central Government or any indulgence by the Central Government to the Preferred Bidder or other thing whatsoever which under the law relating to sureties would, but for this provision, have the effect of relieving the Bank of its obligations under this Guarantee.

5. Any payment made hereunder shall be made free and clear of and without deduction for, or on account of, any present or future taxes, levies, imposts, duties, charges, fees, commissions, deductions or withholdings of any nature whatsoever.
6. The Bank agrees that Central Government at its option shall be entitled to enforce this Guarantee against the Bank, as a principal debtor in the first instance without proceeding at the first instance against the Preferred Bidder.
7. The Bank further agrees that this bank guarantee and the guarantee obligations herein contained shall remain in full force and effect and shall continue to be enforceable till: (i) all the obligations of the Preferred Bidder under or by virtue of the said Agreement with respect to the Performance Security have been fully paid and its claims satisfied or discharged to the satisfaction of the Central Government; or (ii) till the Central Government certifies that the terms and conditions of the Agreement with respect to the Performance Security have been fully and properly carried out by the Preferred Bidder and accordingly discharges this guarantee; or (iii) on provision of a revised performance security under sub-rule (2) of rule 19 of the Offshore Areas Mineral (Auction) Rules, 2024 whichever is later. Notwithstanding anything contained herein, unless a demand or claim under this guarantee is made on the Bank in writing on or before the Expiry Date the Bank shall be discharged from all liability under this guarantee thereafter.
8. The payment so made by the Bank under this Guarantee shall be a valid discharge of Bank's liability for payment thereunder and no person shall have any claim against the Bank for making such payment.
9. This Guarantee is subject to the laws of India. Any suit, action, or other proceedings arising out of this Guarantee or the subject matter hereof shall be subject to the exclusive jurisdiction of courts at New Delhi, India.

10. The Bank has the power to issue this Guarantee in favour of the Central Government. This guarantee will not be discharged due to the change in the constitution of the Bank.
11. The Bank represents that it has the authority and power to revoke this Guarantee during its currency except with the previous consent of the Central Government in writing.
12. The Central Government may, with prior intimation to the Bank, assign the right under this Guarantee to any other departments, ministries or any governmental agencies, which may act in the name of the President.  
Save as provided in this Clause 12, this Guarantee shall not be assignable or transferable.
13. Notwithstanding anything contained herein,
  - a. the liability of the bank under this bank guarantee shall not exceed the Guarantee Amount; and
  - b. this bank guarantee shall be valid up to the Expiry Date.
14. The Bank is liable to pay the Guaranteed Amount or any part thereof under this bank guarantee only and only if the Central Government serves upon the Bank a written claim or demand on or before the Expiry Date.

Dated the [day] day of [month] [year] for the Bank.

In witness whereof the Bank, through its authorised officer, has set its hand and stamp.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name and Designation)

(Bank Stamp).

[F. No. M.VI-1/7/2023-Mines-VI]

Dr. VEENA KUMARI DERMAL, Jt. Secy.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ  
(ಅಭೀಘಾ ಉಸ್ತಾನಿ)  
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ  
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ  
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು  
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

**PR-60**

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ  
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 26 ಕೇನಿಪ್ರ 2024

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 17.09.2024.

ದಿನಾಂಕ: 14.08.2024 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-  
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Offshore Areas Mineral (Auction) Rules,  
2024ರ Notification-GSR 502 (E)ನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ  
ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

**MINISTRY OF COMMERCE AND INDUSTRY**  
**(Department For Promotion Of Industry And Internal Trade)**

**NOTIFICATION**

New Delhi, the 16th August, 2024

**G.S.R. 504 (E).**—Whereas the draft of certain rules, further to amend the Geographical Indication of Goods (Registration and Protection) Rules, 2002 were published as required under sub-section (3) of section 87 of the Geographical Indications of Goods (Registration and Protection) Rules, 2002 vide notification of the Government of India in the Ministry of Commerce and Industry (Department for Promotion of Industry and Internal Trade) number G.S.R 06(E) dated the 3<sup>rd</sup> January 2024, in the Gazette of India, Extraordinary, Part II, section 3, sub-section (i) inviting objections and suggestions from all person likely to be affected thereby before the expiry of a period of thirty days from the date on which copies of the Official Gazette containing the said notification were made available to public;

AND WHEREAS copies of the Official Gazette in which the said notification was published were made available to the public on the 2<sup>nd</sup> January, 2024 and subsequently on 1<sup>st</sup> of July, 2024 for seeking public comments;

AND WHEREAS the objections and suggestions were received from the public in respect of the said draft rules have been considered by the Central Government.

NOW THEREFORE in exercise of the power conferred by section 87 of the Geographical Indications of Goods (Registration and Protection) Act 1999 (48 of 1999), the Central Government hereby makes the following rules.

**HOLDING INQUIRY AND APPEAL**

**1. Short titles and commencement: -**

(1) These rules may be called the Geographical Indications of Goods (Holding Inquiry and appeal) Rules, 2024.

(2) They shall come into force on the date of their publication in the official Gazette.

**2. Definitions: - (1) In this chapter, unless the context otherwise requires, -**

(a) “Act” means the Geographical Indications of Goods (Registration and Protection) Act 1999 (48 of 1999);

(b) “adjudicating officer” means an office authorized under section 37A of the Act;

(c) “appellant” means a person aggrieved with an order of adjudicating officer and prefers an appeal before the appellate authority under sub-section (1) of section 37B of the Act;

(d) “appellate authority” means an officer authorized under section 37B of the Act;

(e) “form” means a form appended to these rules;

(2) words and expressions used in these rules and not defined but defined in the Act, shall have the same meaning respectively assigned to them in the Act;

**3. Complaint. –** Any person may file a complaint in Form-I through electronic means to the adjudicating officer regarding any contravention committed under sections 38, 39, 40, 41, and 42 of the Act.

**4. Holding of Inquiry. – (1)** For the purpose of adjudication under section 37A of the Act whether any person has committed any contravention as specified in that section, the adjudicating officer shall, issue a notice through electronic means to such person requiring him to show cause within such period as may be specified in the notice (being not less than seven days from the date of service thereof) why an inquiry should not be held against him.

(2) Every notice under sub-rule (1) shall indicate the nature of contravention alleged to have been committed.

(3) After considering the cause, if any, shown by such person, the adjudicating officer is of the opinion that an inquiry should be held, he shall issue a notice requiring appearance of that person personally or through a legal practitioner duly authorized by him on such date as may be fixed in the notice.

(4) On the date fixed, the adjudicating officer shall explain to the person proceeded against or his legal practitioner, the contravention committed by such person and the provisions of the Act, in respect of which contravention is alleged to have been committed.

(5) The adjudicating officer shall, then, give an opportunity to such person to file his counter statement and produce such documents or evidence under Form-II as he may consider relevant to the inquiry and if necessary, the hearing may be adjourned to a future date and in taking such evidence the adjudicating officer shall not be bound to observe the provisions of the Bhartiya Sakshya Adhiniyam, 2023 (47 of 2023).

(6) While holding an inquiry under this rule, the adjudicating officer may require and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document which in the opinion of the adjudicating officer may be useful for or relevant to the subject matter of the inquiry.

(7) If any person fails, neglects or refuses to appear as required under sub-rule (3) before the adjudicating officer, the adjudicating officer may proceed with the inquiry in the absence of such person after recording the reasons for doing so.

(8) If, upon consideration of the evidence produced before the adjudicating officer, the adjudicating officer is satisfied that the person has committed the contravention, he may, by order in writing, impose such penalty under the Act as he considers reasonable.

(9) Every order made under sub-rule (8) shall specify the provision of the Act in respect of which contravention has been committed and shall contain the reasons for imposing the penalty.

(10) Every order made under sub-rule (8) shall be dated and signed by the adjudicating officer.

(11) A copy of the order made under this rule and all other copies of proceedings shall be supplied free of cost to the person against whom the order is made.

(12) The adjudicating officer shall complete the proceeding within three months from the issuance of the notice to the opposite party.

5.- Appeal. – (1) Any person aggrieved by an order of the adjudicating officer under this rule, may prefer an appeal in Form-III through electronic means to the appellate authority, within sixty days from the date of the order:

Provided that the appellate authority may entertain an appeal after the expiry of the said period if he is satisfied that there was sufficient cause for not filing the appeal within such period.

(2) On receipt of the appeal, the appellate authority shall issue a notice requiring to the respondent to file his reply within such period as may be specified in the notice.

(3) The appellate authority, shall, after giving the parties a reasonable opportunity of being heard, pass a reasoned order, including an order for adjournment, and complete the proceedings ordinarily within sixty days from the date of the receipt of the appeal.

6.- Serving upon parties. – (1) All Communications under these rules shall be transmitted through electronic means only.

(2) In proving such transmission, it shall be sufficient to show that the communication was properly addressed and transmitted through electronic means.

7. Extension of Time. – The adjudicating officer or the appellate authority may, for reasons to be recorded in writing, where there is a reasonable cause for the delay or failure to act, extend any period specified in these rules till such period as he may think fit.

8. Order and Penalties. – (1) Every order under these rules, shall be dated, digitally signed, communicated to all the parties, and also uploaded on the official website of Intellectual Property India.

(2) All sums realised by way of penalties under these rules shall be credited to the Consolidated Fund of India.

#### FIRST SCHEDULE FORMS

FORM-I
THE GEOGRAPHICAL INDICATIONS OF GOODS (REGISTRATION AND PROTECTION) ACT, 1999 Complaint for contravention or default [See rule 3]
To, The Registrar of Geographical Indications,

The Geographical Indications Office, At.....		
1.	Particular of Complainant: -	Particular of Defendant: -
	a. Name:	a. Name:
	b. Address for service:	b. Address for service:
	c. Contact No:	c. Contact No:
	d. Email (for service):	d. Email (for service):
2.	Particulars of Complaint: -	
	a. Date, time and instance of commission of the alleged contravention or default:	
	b. Statement of contravention or default setting out all relevant material particulars:	
	c. Evidence in support of the statement:	
	d. Tentative amount of damage (in pecuniary terms) with cost break-up.	
I/We....., the Complainant herein declare that the facts stated herein are correct to the best of my/our knowledge, information and belief.		
3.	Signature of the Complainant:	
4.	Name of the natural person who has signed:	
Note. – Strike out whichever is not applicable.		

<b>FORM-II</b> <b>THE GEOGRAPHICAL INDICATIONS OF GOODS (REGISTRATION AND PROTECTION) ACT, 1999</b> Furnishing of document or evidence on behalf of the respondent in respect of the complaint of contravention or default. [See rule 4(5)]		
To, The Registrar of Geographical Indications, The Geographical Indications Office, At.....		
1.	a. Name: b. Address: c. Nationality:	I/We, ..... ..... ..... hereby give a counter statement: - to the complaint made in Form-I  The grounds in which the counter statement is made are as follows: - ..... .....
2.	Complete address including postal index number/code and state along with telephone and fax number(s).	
To be signed by the opposite party		
3.	Signature:	
4.	Name of the natural person who has signed:	
Note. – Strike out whichever is not applicable.		

<b>FORM-III</b> <b>THE GEOGRAPHICAL INDICATIONS OF GOODS (REGISTRATION AND PROTECTION) ACT, 1999</b> Appeal [See rule 5]	
To, The Registrar of Geographical Indications,	



The Geographical Indications Office, At.....		
1.	Particular of Appellant: -	Particular of Respondent: -
	a. Name:	a. Name:
	b. Address for service:	b. Address for service:
	c. Contact No:	c. Contact No:
	d. Email (for service):	d. Email (for service):
2.	Statement of Appeal: - (A statement of case may be separately attached.)	
I/We....., the Appellant herein declare that the facts stated herein are correct to the best of my/our knowledge, information and belief.		
3.	Signature of the Appellant:	
4.	Name of the natural person who has signed:	
Note. – Strike out whichever is not applicable.		

[F. No. – P-24027/11/2023-O/o Dir(K)-DPIIT]

HIMANI PANDE, Adl. Secy.

**Note:** The principal rules were published in the Gazette of India; Extraordinary, Part II, Section 3, Sub-section (i) vide notification number G.S.R. 176 (E) dated 8<sup>th</sup> march, 2002 and last amended vide notification number G.S.R. number G.S.R. 528 (E) dated the 26<sup>th</sup> August, 2020.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ  
(ಅಭೀಘಾ ಉಸ್ತಾನಿ)  
ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ  
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ  
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು  
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-61

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ  
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 28 ಕೇನಿಪ್ರ 2024

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 17.09.2024.

ದಿನಾಂಕ: 16.08.2024 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-  
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Trade Marks (Holding Inquiry and Appeal)  
Rules 2024ರ Notification-GSR 505 (E)ನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ  
ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

**MINISTRY OF COMMERCE AND INDUSTRY**  
**(Department For Promotion of Industry and Internal Trade)**

**NOTIFICATION**

New Delhi, the 16th August, 2024

**G.S.R. 505(E).**— WHEREAS the draft of certain rules, further to amend the Trade Marks Rules, 2017 was published on the 10th January, 2024 as required under sub-section (1) of section 157 of the Trade Marks Act, 1999 (47 of 1999), vide notification of the Government of India in the Ministry of Commerce and Industry (Department for Promotion of Industry and Internal Trade) number G.S.R. 35(E), dated the 2nd January, 2024 in the Gazette of India, Extraordinary, Part II, section 3, sub-section (i), inviting objections and suggestions from all person likely to be affected thereby before the expiry of a period of thirty days from the date on which copies of the Official Gazette containing the said notification were made available to public;

AND WHEREAS copies of the Official Gazette in which the said notification was published were made available to the public on the 10th January 2024 and subsequently on 1st of July, 2024 for seeking public comments;

AND WHEREAS the objections and suggestions were received from the public in respect of the said draft rules have been considered by the Central Government;

NOW THEREFORE in exercise of the powers conferred by section 157 of the Trade Marks Act, 1999 the Central Government hereby makes the following rules, namely: -

**HOLDING INQUIRY AND APPEAL**

**1. Short Title and Commencement. -**

- (1) These rules may be called the Trade Marks (Holding Inquiry and Appeal) Rules, 2024.
- (2) They shall come into force on the date of their publication in the Official Gazette.

**2. Definitions. –** (1) In the said rules, unless the context otherwise requires, -

- (a) “act” means the Trade Marks Act, 1999 (47 of 1999);
  - (b) "adjudicating officer" means an officer authorised under section 112A of the Act;
  - (c) “appellant” means a person aggrieved with an order of adjudicating officer and prefers an appeal before the appellate authority under sub-section (1) of section 112B of the Act;
  - (d) "appellate authority” means an officer authorised under sub-section (1) of section 112B of the Act.
  - (e) “form” means a form appended to these rules.
- (2) words and expressions used in these rules and not defined but defined in the Act, shall have the same meaning respectively assigned to them in the act.

**3. Complaint. —** Any person may file a complaint in Form-I through electronic means to the adjudicating officer regarding any contravention committed under section 107 of the Act.

**4. Holding of inquiry. -**

1. For the purposes of adjudication under section 112A of the Act whether any person has committed any contravention as specified in that section, the adjudicating officer shall, issue a notice through electronic means to such person requiring him to show cause within such period as may be specified in the notice (being not less than seven days from the date of service thereof) why an inquiry should not be held against him.
2. Every notice under sub-rule (1) shall indicate the nature of contravention alleged to have been committed.
3. After considering the cause, if any, shown by such person, the adjudicating officer is of the opinion that an inquiry should be held, he shall issue a notice requiring the appearance of that person personally or through a legal practitioner duly authorised by him on such date as may be fixed in the notice.
4. On the date fixed, the adjudicating officer shall explain to the person proceeded against or his legal practitioner, the contravention, committed by such person and the provisions of the Act, in respect of which contravention is alleged to have been committed.

5. The adjudicating officer shall, then, given an opportunity to such person to file his counter statement and produce such documents or evidence under Form-II as he may consider relevant to the inquiry and if necessary, the hearing may be adjourned to a future date and in taking such evidence the adjudicating officer shall not be bound to observe the provisions of the Bhartiya Sakshya Adhiniyam, 2023 (47 of 2023).
6. While holding an inquiry under this rule, the adjudicating officer may require and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document which in the opinion of the adjudicating officer may be useful for or relevant to the subject matter of the inquiry.
7. If any person fails, neglects or refuses to appear as required under sub-rule (3) before the adjudicating officer, the adjudicating officer may proceed with the inquiry in the absence of such person after recording the reasons for doing so.
8. If, upon consideration of the evidence produced before the adjudicating officer, the adjudicating officer is satisfied that the person has committed the contravention, he may, by order in writing, impose such penalty under the Act as he considers reasonable.
9. Every order made under sub-rule (8) shall specify the provisions of the Act in respect of which contravention has been committed and shall contain the reasons for imposing the penalty.
10. Every order made under sub-rule (8) shall be dated and signed by the adjudicating officer.
11. A copy of the order made under this rule and all other copies of proceedings shall be supplied free of cost to the person against whom the order is made.
12. The adjudicating officer shall complete the proceeding within three months from the issuance of the notice to the opposite party.

**5. Appeal.** - (1) Any person aggrieved by an order of the adjudicating officer under this rule, may prefer an appeal in Form III through electronic means to the appellate authority, within sixty days from the date of the order:

Provided that the appellate authority may entertain appeal after the expiry of the said period if he is satisfied that he has sufficient cause for not filing the appeal within such period.

- (2) On receipt of the appeal, the appellate authority shall issue a notice requiring to the respondent, to file his reply within such period as may be specified in the notice.
- (3) The appellate authority, shall, after giving the parties a reasonable opportunity of being heard, pass a reasoned order, including an order for adjournment, and complete the proceedings ordinarily within sixty days from the date of the receipt of the appeal.

**6. Serving upon parties.** - (1) All communications under these rules shall be transmitted through electronic means only.

- (2) In proving such transmission, it shall be sufficient to show that the communication was properly addressed and transmitted through electronic means.

**7. Extension of time.** - The adjudicating officer or the appellate authority may, for reasons to be recorded in writing, where there is a reasonable cause for the delay or failure to act, extend any period specified in these rules till such period as he may think fit.

**8. Order and penalties.** - (1) Every order under these rules, shall be dated, digitally signed, communicated to all the parties, and also uploaded on the official website of Intellectual Property India.

- (2) All sums realised by way of penalties under these rules shall be credited to the Consolidated Fund of India”.

**THE FIRST SCHEDULE****FORMS**

<p align="center"><b>“FORM-I</b></p> <p align="center"><b>THE TRADE MARKS ACT, 1999</b></p> <p align="center">Complaint for contravention or default</p> <p align="center">[See rule 3]</p>		
<p>To, The Registrar of Trade Marks, The Trade Marks Office, At.....</p>		
1.	Particular of Complainant: -	Particular of Defendant: -
	a. Name:	a. Name:
	b. Address for service:	b. Address for service:
	c. Contact No:	c. Contact No:
	d. Email (for service):	d. Email (for service):
2.	Particulars of Complaint: -	
	a. Date, time and instance of commission of the alleged contravention or default:	
	b. Statement of contravention or default setting out all relevant material particulars:	
	c. Evidence in support of the statement:	
	d. Tentative amount of damage (in pecuniary terms) with cost break-up.	
<p>I/We....., the Complainant herein declare that the facts stated herein are correct to the best of my/our knowledge, information and belief.</p>		
3.	Signature of the Complainant:	
4.	Name of the natural person who has signed:	
<p><b>Note.</b> – Strike out whichever is not applicable.</p>		

<p align="center"><b>FORM-II</b></p> <p align="center"><b>THE TRADE MARKS ACT, 1999</b></p> <p align="center">Furnishing of document or evidence on behalf of the respondent in respect of the complaint of contravention or default.</p> <p align="center">[See rule 4(5)]</p>		
<p>To, The Registrar of Trade Marks, The Trade Marks Office, At.....</p>		
1.	<p>a. Name:</p> <p>b. Address:</p> <p>c. Nationality:</p>	<p>I/We, ..... ..... ..... hereby give a counter statement: - to the complaint made in Form-I</p> <p>The grounds in which the counter statement is made are as follows: - ..... .....</p>
2.	Complete address including postal index number/code and state along with telephone and fax number(s).	
<p align="center">To be signed by the opposite party</p>		
3.	Signature:	
4.	Name of the natural person who has signed:	
<p><b>Note.</b> – Strike out whichever is not applicable.</p>		

<b>FORM-III</b> <b>THE TRADE MARKS ACT, 1999</b> <b>Appeal</b> <b>[See rule 5]</b>		
To, The Registrar of Trade Marks, The Trade Marks Office, At.....		
1.	Particular of Appellant: -	Particular of Respondent: -
	a. Name:	a. Name:
	b. Address for service:	b. Address for service:
	c. Contact No:	c. Contact No:
	d. Email (for service):	d. Email (for service):
2.	Statement of Appeal: - (A statement of case may be separately attached.)	
I/We....., the Appellant herein declare that the facts stated herein are correct to the best of my/our knowledge, information and belief.		
3.	Signature of the Appellant:	
4.	Name of the natural person who has signed:	
<b>Note.</b> – Strike out whichever is not applicable.		

[F. No. P-24027/11/2023-O/o Dir(K)-DPIIT]

HIMANI PANDE, Addl. Secy.

**Note:** The principal rules were published in the Gazette of India; Extraordinary, Part II, Section 3, Sub-section (i), vide notification number G.S.R. 119 (E), dated 6th day of March 2017.

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ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ, ಬುಧವಾರ, ೧೮, ಸೆಪ್ಟೆಂಬರ್, ೨೦೨೪

ಭಾಗ ೪

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ  
(ಅಭೀಘಾ ಉಸ್ತಾನಿ)  
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ  
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ  
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು  
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

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